

**Tuesday
24 May 2022**

**Volume 715
No. 9**



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 24 May 2022

House of Commons

Tuesday 24 May 2022

The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Victims of Crime

1. **Selaine Saxby** (North Devon) (Con): What steps his Department is taking to support victims of crime.

[900185]

5. **James Sunderland** (Bracknell) (Con): What steps his Department is taking to support victims of crime.

[900190]

10. **Suzanne Webb** (Stourbridge) (Con): What steps his Department is taking to support victims of crime.

[900198]

The Lord Chancellor and Secretary of State for Justice (Dominic Raab): We are increasing victim support funding to £185 million by 2024—almost double the amount in the 2020-21 core budgets, and more than quadruple the victims funding in the last year of the last Labour Government.

Selaine Saxby: Will my right hon. Friend expand on the specifics for victims of an alleged crime who are under 16 and who attend the same school as the accused? Are there opportunities to expedite such cases, which typically take years to progress?

Dominic Raab: My hon. Friend is right to highlight the particular vulnerability of children in such cases. The courts already have the power to prioritise cases, for example those with a particular risk of the victim or a witness being intimidated. The Department for Education's statutory guidance for schools and others makes it clear that they can take appropriate measures to safeguard children, which can include transfers to and from schools where necessary.

James Sunderland: The Thames Valley police and crime commissioner, Matthew Barber, provides excellent support to victims of crime through his office's Victims First support service. One challenge that he faces is that the Ministry of Justice does not allow victims funding to be used to support victims of antisocial behaviour. That is a real concern for my constituents in Bracknell. Might the Secretary of State be willing to review the policy?

Dominic Raab: I pay tribute to the work of Commissioner Matthew Barber. In 2022-23, we are providing PCCs with £69 million of core funding to commission victim

support services. How they allocate the funding is at their discretion, based on their assessment of local need, but it can include services to support victims of ASB that reaches the threshold of a criminal offence. As my hon. Friend will know, we are consulting on new powers for courts to consider community impact assessments in trials so that the blight and oppression that antisocial behaviour causes in whole communities can be properly factored in.

Suzanne Webb: Ryan Passey was tragically killed in 2017, at the mercy of a perpetrator with a knife. The case went to court and the perpetrator was acquitted, which was considered a bizarre verdict. You will be pleased to hear, Mr Speaker, that I and the Passey family have secured a review of the police investigation. That review is ongoing, but the family feel let down by the lack of support after the trial, at the time when they most needed it. They have lost their only son, but had no support despite the verdict. Will my right hon. Friend meet me and the family to understand how improvements can be made in the provision of support for victims' families, not just during an investigation but after the verdict, particularly when a bizarre verdict is given?

Dominic Raab: My deepest sympathies go to the family and friends of Ryan Passey. I congratulate my hon. Friend on securing an independent review; I will be happy to make sure that she can see an appropriate Minister.

We have made £130 million available this year to tackle serious violence. As my hon. Friend will know, the latest data shows a 4% decrease in recorded cases of knife crime. On post-trial support, we are providing £4.6 million a year in funding for the national homicide service, which provides a range of services, including counselling and emotional support, that can continue as long as is needed for a bereaved family, including after trial.

Sarah Champion (Rotherham) (Lab): The Secretary of State will be aware that I have worked across Government for many years to secure support for victims of crime, particularly victims and survivors of child abuse and sexual assault. I welcome the introduction of the victims Bill, the enshrining in law of the victims code and the Secretary of State's commitment to funding, but we need more sexual assault referral centres, more independent sexual violence advisers and more special measures in courts; indeed, we need more courts and prosecutors. Has the Secretary of State done the analysis to show that the money he is bringing forward will cover all that?

Dominic Raab: I am pleased to see, in the context of the latest data, that rape convictions are up 67% on the previous year. We will be bringing forward our response to the consultation on the victims Bill and the associated package very shortly. There will be a step change—a quantum leap—in the number of ISVAs and independent domestic violence advisers as a result of the settlement that I have secured with the Treasury. I am happy to give the hon. Lady specific details.

Ronnie Cowan (Inverclyde) (SNP): Over the years, many people have been coerced, often through violence, into being filmed in pornography that has been put

online for people to see for years to come. Will the Government consider making provision in the Online Safety Bill for people to withdraw their consent and have that content removed from the internet?

Dominic Raab: The hon. Gentleman has raised an important point, which I will certainly convey to the Home Office in the context of the online harms Bill.

Stephanie Peacock (Barnsley East) (Lab): Four years ago, Jackie Wileman was tragically killed on her daily walk by four men joyriding a stolen HGV around Barnsley. The men responsible had 100 convictions between them. I pay tribute to Jackie's brother, Johnny Wood, for his campaign to increase sentences for causing death by dangerous driving, and I welcome the change in the law, but Johnny has now been informed that one of the offenders may shortly be released from prison on temporary licence without the proper process being followed. Will the Secretary of State meet Johnny and me to discuss what more can be done to support victims?

Dominic Raab: I am not aware of the specifics of that case, but I take this issue very seriously. If the hon. Lady would like to write to me, I will ensure that we can not only address the specifics very carefully, but arrange for her to meet a relevant Minister.

Offenders: Giving Back to Communities

2. **Jerome Mayhew (Broadland) (Con):** What plans he has to help ensure that offenders give back to their communities. [900186]

6. **Alun Cairns (Vale of Glamorgan) (Con):** What plans he has to help ensure that offenders give back to their communities. [900191]

The Minister for Crime and Policing (Kit Malthouse): When people have broken the law, and when it is safe and proportionate for them to do so, they should serve their sentences in the community. It is important for them to be seen to be paying back to the communities to whom they have caused harm. We are investing £93 million in community payback staff over the next three years so that we can increase the number of hours worked to a record-breaking 8 million a year.

Jerome Mayhew: Justice needs to be seen to be done, not just for victims but for the wider community, so that they can be confident that offenders are not getting away with it. Community payback projects allow for offenders to make reparations to the communities whom they have harmed. Can my right hon. Friend assure me that he will be working to expand such projects across the country?

Kit Malthouse: My hon. Friend is right: people do want to see justice being done, in a visible way, in their communities. I hope that he saw some of the 300-odd gangs of offenders who delivered about 10,000 hours of community work across the country, particularly on environmental schemes, during the recent Keep Britain Tidy spring clean-up week. However, Members of Parliament can also play a part in this project. We do need to increase those hours to 8 million a year, and we need Members' help in nominating schemes on which we can put offenders to work, so if Members feel like it,

I ask them please to go online and look at the Ministry of Justice website. They can nominate a scheme, and we will send some people to do some cleaning up.

Alun Cairns: Fonmon castle park and gardens, in my constituency, provides a first-class day out for visitors, but will my right hon. Friend join me in congratulating those who run it on the partnership that they have established with HM Prison Parc? This offers new opportunities for offenders, while also resolving some of the labour shortages in the area.

Kit Malthouse: I am, of course, happy to celebrate the success of Fonmon castle and its partnership with Parc prison. As my right hon. Friend knows, we believe that employment for offenders is critical to moving them into a better life. Building partnerships of that kind between businesses and prisons is key for the future, and I am pleased to tell my right hon. Friend that Parc prison is in line, in the next year, to have one of our new employment advisory boards, which will bring such partnerships to life across all the UK's geographies.

Tim Farron (Westmorland and Lonsdale) (LD): Offenders are unlikely to be able to give back to their communities if they find themselves homeless on their release from prison, as I have discovered when supporting people in that situation in my own community. Will the Minister undertake to bring to the House a report indicating the extent to which homelessness among ex-offenders is a fact—which it clearly is—along with an action plan to help constituency Members in all parts of the House to support people when they leave prison so that they can lead a stable existence in their communities and therefore give back?

Kit Malthouse: I agree with the hon. Gentleman that the provision of a home—of accommodation—for those leaving the secure estate is critical. We believe that there are three pillars to success: a job, a house and a friend to put people on to the straight and narrow. I do not have to publish a report to underline that, because there has been plenty of research to prove that it is the case. The hon. Gentleman will be pleased to know that we do have an action plan, with some challenging targets, to ensure that all those leaving the secure estate can access the accommodation they need to get them back on to the straight and narrow.

Mr Speaker: I call the shadow Minister, Ellie Reeves.

Ellie Reeves (Lewisham West and Penge) (Lab): Unpaid work gives offenders a chance to give back to their communities, but huge workloads and staff shortages in the probation service mean that in some areas there is a backlog of up to 100,000 hours owed by offenders, and some have even had their hours wiped because they have not been completed in time. Is this not just another example of our broken justice system—a system that lets offenders off while victims pay the price? When will the Government get serious and fix this?

Kit Malthouse: It is very sad that the hon. Lady is not celebrating the achievements of the probation service, which is expanding. We are recruiting 500 new community supervisors so that we can get on top of some of the covid-related backlog in unpaid work. We have to hit 8 million hours and we have thousands of offenders out there in high-vis jackets doing the work, particularly

environmental work with organisations such as the Canal & River Trust. When the Prime Minister promoted that scheme, the Opposition condemned it, saying that it was somehow inhuman. Actually, all our communities across the United Kingdom, day in day out, are seeing justice being done by these offenders, and that is set to grow.

Court Delays: Attrition

3. **Alex Norris** (Nottingham North) (Lab/Co-op): What assessment he has made of the impact of court delays on victim attrition rates. [900187]

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): I am pleased to report that we are making progress on court delays in the Crown court. As of the end of March 2022, the outstanding backlog was 57,800, which is 5% lower than the peak of 60,700 cases in June 2021. Prior to the pandemic, the outstanding caseload had reduced significantly from 46,100 in 2010 to around 33,000 in late 2018. That underlines just how significant the impact of covid was. On attrition, we recognise the importance of addressing these issues, and that is why we are increasing victim support funding to £185 million by 2024-25. That will fund more than 1,000 independent sexual and domestic abuse advisers to help victims through the process.

Alex Norris: Last year, a staggering 1.3 million cases were dropped because the victim could not carry on any longer. That is on top of extraordinarily low charge rates—7% for robbery and 3% for theft. For my community, that means that cases are delayed, crime is up and charges are down. The Minister talked about progress, but it is not quick enough, is it?

James Cartlidge: These are important points. Attrition is most important with regard to rape. As the Deputy Prime Minister has said, the total number of rape convictions was up 67% last year, and I can confirm that in the last quarter of last year they were up 15%, so we are making progress but we want to go further. That is why it is so important that we have put in place all the measures to increase capacity in our courts and it is why the backlog is now falling.

Mr Speaker: I call the Chair of the Select Committee, Bob Neill.

Sir Robert Neill (Bromley and Chislehurst) (Con): The Minister is right to highlight the work that is being done to increase support for victims, but he will be aware that the Justice Committee published a report on court capacity on 27 April. I look forward to hearing his response to it. In the summary, we highlight that despite efforts from the Government to go in the right direction:

“Delays in the Crown Court have reached a point where they are causing significant injustice.”

Is it not the reality that solving this will require not just victim measures but, more significantly, a root-and-branch attempt to tackle all the elements of delay, which relate to judicial capacity, physical capacity and maintenance of the estate, improved data and technology and improved processes in the Crown court? All those must come together, and that requires sustained investment. Will the Minister respond in detail to the report in due course?

James Cartlidge: I look forward to responding to it. My hon. Friend is absolutely right about resources, and that is why we had almost £0.5 billion of funding in the spending review settlement, particularly to tackle Crown court backlogs. He is also right to talk about judicial capacity. As we came out of the pandemic, having resisted the temptation to lock down again at Christmas, we reopened 60 courtrooms that had been closed, so we have the rooms, more or less—with some local variance—but he is right to say that we need judicial capacity. One key issue in the recruitment of judges was the pension scheme, but we have just had Royal Assent for a new scheme, which should address that important aspect of capacity in our courts.

Mr Speaker: I call the shadow Minister, Alex Cunningham.

Alex Cunningham (Stockton North) (Lab): Let me remind the Minister that 67% of a small number is still a small number. The recent criminal justice joint inspection report into pandemic recovery noted:

“The prospect of waiting years for justice is likely to be traumatising for victims and their families and has a damaging impact on justice itself, making it more likely that victims will drop out of cases”.

We know that the Ministry has secured funding to reduce the backlog to 53,000 cases by 2025, but that number still dwarfs pre-pandemic figures. We all want timely justice for defendants and victims, so can the Minister confirm how long on average people are waiting for their cases to come to court, and what impact the additional funding will have on cutting those waiting times?

James Cartlidge: These are, as I said, important points. I am glad the hon. Gentleman recognises that we have committed the funding. Where is it going? For the second year on the trot, we have removed the cap on sitting days in the Crown court, which is probably the single most important aspect of delivering capacity. We are also doing it through legislation.

The hon. Gentleman will be aware that we recently had Royal Assent for the Judicial Review and Courts Act 2022, which is a key measure in helping us to increase magistrates' sentencing powers, releasing up to 1,700 days in the Crown court. That is 1,700 days when we can hear serious cases—rapes, murders and all the rest—to get through the backlog, because capacity is key. I have always said that it is about taking a joined-up approach. We have the funding in place and we have the legislation. It is such a shame that the Opposition could not support us.

Access to Legal Aid

4. **Andrew Lewer** (Northampton South) (Con): What progress his Department has made on improving access to legal aid. [900188]

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): Last year, to ensure accessibility to vital support, we spent £1.7 billion on legal aid. We are consulting on changes that will result in an additional 2 million people in England and Wales having access to civil legal aid, with 3.5 million more people having access to legal aid at the magistrates court. By any measure, that is a very significant expansion of access. Alongside that, we propose to invest up to £135 million

a year in criminal legal aid, more than £7 million in improving access to housing legal aid, and £8 million in expanding access to immigration legal aid.

Andrew Lewer: Next month I will be visiting Northampton Community Law Service, which has proved indispensable to many of my constituents. What steps are being taken to ensure sufficient funding streams for areas of specialist legal advice and support that are proving to be the most in demand amid the cost of living crisis, particularly debt and employment law?

James Cartlidge: My hon. Friend, who is a champion for his constituents, makes the important point that these are increasingly important matters in the current economic context. That is why we have committed to ensuring that specialist legal advice services continue to provide support for those who need it most, and it is why, in particular, we will be spending £5 million to pilot early legal advice on social welfare matters, including debt, this summer. Throughout 2020 we provided £5.4 million of grant funding to not-for-profit providers of legal advice, supporting more than 70 organisations to help vulnerable people resolve their legal problems. I am pleased to confirm that those rounds of funding provided more than £130,000 to Northampton Community Law Service.

Andrew Gwynne (Denton and Reddish) (Lab): From the Minister's answers, we might think everything is rosy in the world of legal aid, but the reality is that there are legal aid deserts in many parts of the country where practitioners have packed up and stopped providing vital access to the justice system. What is the Minister doing to ensure that, in every part of England, there is fair access to legal aid?

James Cartlidge: That is a fair question, but I do not accept that there are areas of the country where people are denied access to justice because there are no legal aid providers. The Legal Aid Agency keeps market capacity under constant review and takes immediate action where gaps appear by tendering for new providers and amending contractual requirements to encourage new providers into the market. In England and Wales, legal advice on housing matters is available, wherever people are, through the Civil Legal Advice telephone service.

On access to legal aid, as I said, we are consulting on proposals that will increase the number of people who can access civil legal aid by 2 million, which is a significant measure.

Mr Speaker: I call the shadow Minister, Afzal Khan.

Afzal Khan (Manchester, Gorton) (Lab): I thank the hon. Member for Northampton South (Andrew Lewer) for raising the importance of access to legal aid. In fact, his region—the east midlands—has seen an above average fall in access to criminal and civil legal aid since 2013. Compared with England and Wales as a whole, the region also has a higher proportion of local authorities with no providers of legal aid on housing, immigration, family and community care law. These legal aid deserts are worst for family and community care law, with the cost of living crisis compounding that further. Victims are being let down at every stage.

Legal aid deserts are a direct result of chronic underfunding, and they deny justice to victims across the UK. The Government have failed to deliver even the bare minimum of what Sir Christopher Bellamy advised in his review. I understand that the Government are considering a civil sustainability review, so perhaps the Justice Secretary will provide further details. The Government like to pay lip service to levelling up the country, but when will the Lord Chancellor level up access to justice?

James Cartlidge: It would probably be more helpful if I referred to what the hon. Gentleman said on a previous occasion. On 15 March, in response to the Deputy Prime Minister's statement about criminal legal aid and the measures that we were taking, he said:

“Today's announcement and response to the Bellamy review is welcome, particularly the Government's commitment to increase legal aid rates by the 15% that Sir Christopher Bellamy recommended.”
—[*Official Report*, 15 March 2022; Vol. 710, c. 777.]

That is what we are doing. He recommended £135 million of additional funding for criminal legal aid. That is what we are proposing and what we are consulting on. So my job as I see it is very clear. It is to get on with ensuring that those criminal legal aid rates are increased as soon as is practicable, and we look forward to introducing a statutory instrument later this year.

Mr Speaker: I call the Scottish National party spokesperson, Stuart C. McDonald.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I wonder if I might suggest that another review of partygate could help inform Government policy on legal aid and access to justice. I say that because of the widely perceived link between a person's ability to pay for legal advice and the number of fixed penalty notices that that person might receive, compared to others attending the very same event. So during his consultation, will the Minister speak to junior Downing Street staff and civil servants about their views on the significance of access to and the affordability of criminal legal advice?

James Cartlidge: It's a nice try, but our discussions in Downing Street are about the measures that we are bringing forward to tackle crime, not least the Police, Crime, Sentencing and Courts Act 2022, which the Labour party voted against and Opposition Members spoke out against, and which will see violent and sexual offenders serving longer in prison. That is where our focus is and the focus of the British people is.

Human Rights Framework Reform

7. **Patricia Gibson (North Ayrshire and Arran) (SNP):** What recent discussions he has had with Cabinet colleagues on proposed reforms to the UK's human rights framework.
[900194]

The Lord Chancellor and Secretary of State for Justice (Dominic Raab): As announced in Her Majesty's Gracious Speech, the Government will replace the Human Rights Act 1998 with a Bill of Rights to be introduced in this parliamentary Session.

Patricia Gibson: Will the Secretary of State follow last year's recommendation of the Joint Committee on Human Rights and ensure that there are no changes to the Human Rights Act—the provisions of which are embedded in the Scotland Act 1998—without the consent of the devolved Administrations? If that consent is withheld and his Government unpick the Act unilaterally on behalf of the four UK nations, what message does he think it will send to citizens across the devolved nations?

Dominic Raab: I thank the hon. Lady. As she knows, we will assess the question of the applicability of the Sewel convention, quite rightly, when the full Bill of Rights text is provided. This reform will strengthen free speech, but curb the ability of, for example, criminals to take advantage of and abuse the system. I believe that that will be welcomed in all four nations.

Andrew Bridgen (North West Leicestershire) (Con): Does my right hon. Friend agree that reform of our human rights framework will help to prevent foreign national offenders from avoiding deportation and help to restore some public confidence in our human rights legislation?

Dominic Raab: My hon. Friend is right. The still high volume—around 70%—of successful challenges, on human rights grounds, of deportation orders by foreign national offenders is on article 8 grounds. That is exactly the kind of thing that our reforms will address and the public across the UK will welcome.

Mr Speaker: Stuart C. McDonald, the SNP spokesperson.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Thank you again, Mr Speaker. The Human Rights Act 1998 has become a cornerstone of justice and democracy in the United Kingdom. It is pivotal legislation not to be tinkered with lightly. Given that cross-party MPs have today found that the now Justice Secretary presided over a “disaster and a betrayal of our allies”

and

“a lack of seriousness, grip or leadership at a time of national emergency.”

in relation to Afghanistan, I have to ask in all seriousness why he should be allowed anywhere near such fundamental legislation and indeed why he is in ministerial office at all.

Dominic Raab: I am surprised that the SNP has nothing to say on the issues at hand in relation to criminal justice, whether in Scotland or in the rest of the UK.

Defendants on Remand: Sentencing Hearings

8. **James Wild** (North West Norfolk) (Con): What plans he has to give Crown Court judges the power to require defendants held on remand to attend sentencing hearings in person. [900195]

The Parliamentary Under-Secretary of State for Justice (**James Cartlidge**): The current position is that the courts can require that a defendant held on remand attends their sentence hearing, but they cannot force them to do so. Where a defendant is likely to be disruptive in court

or where taking action to ensure that they attend would cause delays, it can be in the best interests of justice and victims to proceed in their absence. However, I fully appreciate that, in other circumstances, a defendant's absence can cause anger and upset for victims and their families, and we are actively considering what can be done to address this.

James Wild: It is important for public confidence that justice is seen to be done. When defendants in murder, rape and other serious cases hide in their cells and fail to appear for sentencing, they are effectively abusing their victim and the victim's family once again. So I welcome the work that my hon. Friend is doing on this issue. May I encourage him to look at giving judges the power to increase custodial sentences in such circumstances?

James Cartlidge: My hon. Friend makes a really important point: justice being seen to be done is a key principle of our case law system. I am sure we all agree that a defendant should be brought before the court to face the consequences of their crime. Of course, one case in particular comes to mind. Sabina Nessa's family wanted Koci Selamaj to be present to hear their victim impact statement, so that they could convey the hurt that he caused. In that case, the sentencing judge referred to the defendant's actions as “cowardly...refusals” to attend.

However, I have to stress that, although defendants can be punished for refusing a prison order to attend court, they cannot be forced to attend. As I say, it is important to recognise that, although the presence of the defendant may be a comfort to some victims, there will be circumstances in which a defendant's behaviour is distressing to victims and their families. For that reason, we have to take a balanced approach but, as I say, we are looking at what can be done. One option could be to make it a statutory aggravating factor.

Ellie Reeves (Lewisham West and Penge) (Lab): When Sabina Nessa's killer did not turn up to court to hear his sentence, his cowardice caused further unimaginable hurt to her family. Anisha Vidal-Garner was killed by a hit-and-run driver; when he stayed in his cell during sentencing, he avoided listening to the powerful victim impact statements from her family. This soft-on-crime, tough-on-victims Government have had 12 years to compel criminals to attend court to hear their sentences. Labour has been calling for it; where is the action? Why is it taking so long to get progress on this issue?

James Cartlidge: The hon. Lady knows that these are primarily matters of judicial responsibility. We have to ensure that whatever measures we take can work in practice in our courts, with the right balance being struck. She says we are soft on crime; I remind her that we recently received Royal Assent for an Act that will ensure that serious violent and sexual offenders will serve longer in prison so that we keep our streets safe. Labour voted against that. That tells us one simple message: when it comes to the big calls on law and order and keeping this country safe, the Labour party still cannot be trusted.

Reducing Reoffending

9. **Matt Vickers** (Stockton South) (Con): What steps he is taking to reduce reoffending. [900197]

12. **Sara Britcliffe** (Hyndburn) (Con): What steps he is taking to reduce reoffending. [900200]

16. **Dr James Davies** (Vale of Clwyd) (Con): What steps he is taking to reduce reoffending. [900204]

The Lord Chancellor and Secretary of State for Justice (Dominic Raab): The reoffending rate for prisoners who leave prison has fallen by nine percentage points—from 51% to 42%—since 2010. The rate of prison leavers who secure a job within six months has risen by almost two thirds in the past year alone.

Matt Vickers: Getting prison leavers into work is crucial to reduce reoffending, turn ex-offenders' lives around, cut crime and protect the public. Employment advisory boards have an important role to play in building links between prisons and local businesses. Will my right hon. Friend update us on progress in this policy area?

Dominic Raab: My hon. Friend is absolutely bang on. More than half of resettlement prisons now have a business leader who chairs their EAB. That puts us ahead of schedule for our national plan to deliver for every resettlement prison by April next year. To be clear on the results and outcomes we are looking for, let me give one example: at HMP Wandsworth, 39 prison leavers have been helped to find jobs and further training through their board and the prison's employment team.

Sara Britcliffe: As recently as February in my Hyndburn constituency, Lancashire police had to issue dispersal orders in Accrington town centre because of antisocial behaviour. Will my right hon. Friend tell me how we can prevent young people in particular from reoffending or falling into bad habits, particularly when they have been through the youth justice system?

Dominic Raab: My hon. Friend is absolutely right. I was up in Blackpool last week to announce a £300 million fund that local authorities can access to prevent youth offending. It is called the turnaround project and is targeted at around 20,000 children. The idea is to get them into sports, whether that is boxing or martial arts, or indeed into drama or other positive outlets. By doing that, we can then wraparound the pastoral care and work with the law enforcement agencies. That will not just give those children the opportunity to take a springboard into school, training and, ultimately, work, but keep our streets safer for communities.

Dr Davies: My right hon. Friend is right to focus on helping offenders to find work post release, which is crucial to reduce reoffending. Will he update the House on progress made in that respect?

Dominic Raab: In the last year alone, we have seen a step change in respect of offenders being in work within six months of release from prison; the number has increased by two thirds. The prisons White Paper sets out the strategy. We are rolling out the chairs of employment advisory boards and now have chairs for 48 out of 91 prisons. We have also stood up 29 of the employment hubs in our prisons. Those are the links between prison governors and local businesses that will get offenders into work and to stay on the straight and narrow.

Kerry McCarthy (Bristol East) (Lab): A recent report showed that thousands of severely mentally ill prisoners who had been assessed as requiring hospitalisation were not being transferred because of the shortage of NHS beds, or they were facing long delays. Does the Secretary of State agree with the director of the Prison Reform Trust who said that this guarantees that

“people will leave prison in a worst state than when they came in, with every likelihood that the behaviour that originally led to their arrest and conviction will continue”?

Dominic Raab: I thank the hon. Lady. I think that there will cross-party support for the work that we are doing with the mental health Bill announced in the Queen's Speech, absolutely ending prison as a place of safety, if you like, for those with mental health issues and making sure that those who are seriously mentally unwell can be transferred into secure hospitals. I recently met the Health and Social Care Secretary to expedite those arrangements.

Andy Slaughter (Hammersmith) (Lab): Approved premises house the highest risk offenders—terrorists and serious sex offenders—on release from custody. Their location is sensitive both for rehabilitation and protection of the public. Why on earth, therefore, is the Ministry of Justice building approved premises next to the main entrance of Wormwood Scrubs Prison, when the counter-terrorism security assessment lists 18 vulnerabilities, including potential assaults on staff, observation over the prison wall, use of a launch site for drones and undermining rehabilitation? Will the Secretary of State abandon this dangerous and counterproductive scheme?

Dominic Raab: Approved premises are vital. Of course we take all the requisite security advice on the matter and I am very happy to write to the hon. Member about any of the details. However, may I suggest that he write to me to set out the facts that he asserted, so I can test them very carefully and rebut them very clearly?

Mr Gregory Campbell (East Londonderry) (DUP): Does the Secretary of State agree that more needs to be done to promote programmes that lead to reductions in reoffending rates, particularly in prisons such as Magilligan prison in my constituency, so that the wider community can feel safer as a result of successful programmes?

Dominic Raab: The hon. Member is right. The prisons White Paper sets out an overhaul of the regime. We want to assess offenders in week one, whether it is for their addiction, mental health or state of mind, or for things such as numeracy, literacy and their educational qualifications. We then want a pathway right the way through that gets them sustainably off drugs, not just abandoned on methadone. We want to give them the skills and education that they need and, fundamentally and critically, a step change in the approach to getting offenders on licence into work. Those are the keys to driving down reoffending beyond the 9 percentage point reduction in reoffending that we have seen from offenders leaving prison compared with the last year of the last Labour Government.

Prisoner Literacy

11. **Matt Hancock** (West Suffolk) (Con): What steps his Department is taking to improve literacy among prisoners. [900199]

The Minister of State, Ministry of Justice (Victoria Atkins): If we can improve prisoners' literacy and numeracy skills, we will increase their ability to get jobs when they are released, which, in turn, will cut crime and make our streets safer. That is why we have set our plans to achieve exactly that in the prisons strategy White Paper. We have already introduced measures of progress in English and maths to hold governors to account, and we will be establishing an innovation scheme to deliver new initiatives to improve the reading and writing of prisoners.

Matt Hancock: I welcome what the Minister has said on improving literacy among prisoners and what the Secretary of State said in answer to the previous question. May I just strengthen the point about governor accountability? Training in prisons is currently accountable through Ofsted and the training provider is held accountable. Until governors themselves are fully accountable for the literacy of prisoners as they leave, tied of course with the need to get prisoners into work, on which there has been excellent progress, it will always be harder than it should be to get the reading training needed, especially for those who are dyslexic.

Victoria Atkins: My right hon. Friend is completely right. We are putting in place a new deal for governors based on clear expectations and accountability, giving them greater autonomy over education provision in their establishments, which includes transparent key performance indicators, outcome measures and targets, including on prisoner literacy. Indeed, in Highpoint Prison in his constituency, there is a prisoner who was completely illiterate on entering prison. He had the ambition to read to his young child and is now three chapters into a book. With that sort of personal determination and encouragement from the Prison Service, we have high hopes for the chances of prisoners when they leave prison and keeping our communities safer.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Diolch yn fawr, Lefarydd. Education and literacy highlight the inconsistency between what is devolved and what is reserved in relation to justice in Wales. Does the Minister therefore welcome Welsh Government's proposals, published today, to further the devolution of justice in Wales, and will she commit to work with Welsh Government to further those proposals?

Victoria Atkins: I like working with the Welsh Government; that may come as a surprise to some, but I have found them incredibly helpful on plans such as the residential women's centre, which I launched the plans for only last week. We will see a residential women's centre set up in Swansea to help vulnerable women who are on the cusp of custody, giving them 12 weeks' residential accommodation and courses to try to steer them away from offending. I believe that, by working together we can come up with some really interesting and innovative ideas to help not just the good people of Wales, but the entire United Kingdom.

Child Cruelty Register

14. **Nick Fletcher** (Don Valley) (Con): What discussions he has had with Cabinet colleagues on the introduction of a child cruelty register following the enactment of the Police, Crime, Sentencing and Courts Act 2022. [900202]

The Parliamentary Under-Secretary of State for Justice (Tom Pursglove): The entire House and the whole country speak with one voice in saying that child cruelty is abhorrent. The Government are determined to ensure that the law offers the fullest protection to children; that is why we brought forward the sentencing measures through the Police, Crime, Sentencing and Courts Act 2022. My right hon. Friend the Lord Chancellor has asked the Department for Education and the Home Office to consider issues around the management of child cruelty offenders, including the introduction of a register.

Nick Fletcher: Does the Minister agree that the creation of a child cruelty register would be enormously helpful to those already involved in child welfare issues, such as social workers and police? Does he also agree that it would ensure that no looked-after child would be placed with any person who is on such a register, and that that would not only save lives, but prevent injury, both physical and psychological?

Tom Pursglove: My hon. Friend is right to raise this matter, not least given the hugely troubling and distressing cases that we have seen reported in the media of late. One thing we know, which was borne out in the care review published yesterday, is that there is a challenge with data and information sharing between agencies. I am sure that my counterparts in both the Department for Education and the Home Office will consider whether a register of child cruelty offenders would improve child safeguarding processes, alongside wider learning from the findings of forthcoming reviews, such as that into the tragic deaths of Arthur Labinjo-Hughes and Star Hobson.

Non-custodial Sentences: Enforcement

15. **Sir Desmond Swayne** (New Forest West) (Con): What steps he is taking to assure the public that non-custodial sentences are being enforced. [900203]

The Minister for Crime and Policing (Kit Malthouse): Community sentences are robust and increasingly command the public's confidence, not least as they can see more and more offenders in high-vis, brush and shovel in hand, in their streets.

Sir Desmond Swayne: It is reported that the penalties can be discharged by working from home. Please tell me that is not true.

Mr Speaker: A yes or a no will do.

Kit Malthouse: My county colleague can always be relied on to emerge from the forest and ask the most challenging questions. He is correct that independent working projects, while not ideal, were introduced during the pandemic to allow offenders to discharge their sentence with robust and rigorous projects done at home, such as manufacturing personal protective equipment or, more recently, clothing items for Ukrainian refugees. It is our intention to reduce the proportion of sentences

that can be done under home working, although for those who cannot handle a brush and a shovel there may well still be a place for it in the future—

Mr Speaker: Order. I call the shadow Secretary of State. That is too long an answer.

Steve Reed (Croydon North) (Lab/Co-op): We have heard a lot of complacency from the Government Benches on this issue. According to the Minister's own Department, community payback offenders now carry out 75% fewer hours of unpaid work compared with five years ago. On average, 30,000 offenders get away without completing their community sentences every year, and now we hear the Government are letting criminals finish their unpaid work sentences at home. Why have they gone so soft on crime that they are letting those criminals get away with it?

Kit Malthouse: It is not the case that community sentences can be completed using those hours, but I am sure the hon. Gentleman will understand that, during the pandemic, with the restrictions placed upon us, we had to find a way to allow offenders to complete their sentence in a satisfactory way. We have systems in place to make sure the jobs are done rigorously to time and, as I have said, we will be winding down that project.

Family Justice System Reform

17. **Edward Timpson** (Eddisbury) (Con): What steps his Department is taking to reform the family justice system. [900205]

The Parliamentary Under-Secretary of State for Justice (Tom Pursglove): We are committed to reforming family law to reduce conflict and protect children and victims of domestic abuse. We are reducing demand in the private family courts. In 2021, we invested £3.3 million in the mediation voucher scheme, and over 8,000 vouchers have been issued to separating couples. In February, we launched pilots to test the less adversarial way of hearing private family law cases, and we aim to reduce the retraumatisation of domestic abuse survivors.

Edward Timpson: I am grateful to my hon. Friend for his answer. Our family courts, of course, remain under significant pressure. It is welcome that there is additional funding for the likes of the Children and Family Court Advisory and Support Service and that the prioritisation protocols are being used for the time being. During my time as chair of CAFCASS, we established that about one in four cases going into private law children's courts could have been avoided had pre-proceedings work been done. Is the Department also looking at that?

Tom Pursglove: There are domestic abuse or safeguarding concerns in half of private family cases; those cases, of course, need to be heard in court. But when it comes to cases that do not involve those concerns, the Government will support parents to resolve their issues earlier and outside court. We are considering making mediation compulsory for those cases.

As a former distinguished Children's Minister, and given his former role at CAFCASS and his professional experience, my hon. Friend brings an awful lot of experience to these matters. Let us have a meeting to discuss his ideas in more detail.

Court Backlog: Sexual and Violent Crime Victims

21. **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): What recent assessment he has made of the impact of the court backlog on the wellbeing of victims of (a) sexual and (b) violent offences. [900209]

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): We are taking action across all jurisdictions to bring backlogs down and improve waiting times for those who use our courts. I can confirm that the number of days taken for an adult rape case to progress from Crown Prosecution Service charge to completion has fallen by 38 days since the peak in June 2021. That is encouraging.

Chi Onwurah: Under the leadership of Kim McGuinness, our police and crime commissioner, Northumbria police have invested heavily in victim support. But they cannot make up for the wholesale failure of the justice system, with victims telling us that they feel revictimised by the length of delays and the complexity of the process. Does the Minister acknowledge that his plan to get the backlog down to 53,000—still a huge number—will not significantly address the delays? What additional support is he putting in place for the mental health of victims during these long, long delays?

James Cartlidge: The hon. Lady asks about what supports are in place; I am grateful to hear from her police and crime commissioner about the role that independent sexual violence advisers are playing. I confirm that we are investing further in victim support services by increasing funding to £185 million by 2024-25.

Chi Onwurah: And the delays in the courts?

James Cartlidge: I am coming to those. Of course we want to reduce delays as far as possible, but, to give a sense of the progress that we are making, I should say that in March there were 124,000 disposals in the magistrates courts and 9,280 in the Crown courts. Those are the highest figures for both since the pandemic. They show that output is increasing. That is why the backlog is now falling; we expect it to continue falling further.

Mr Speaker: It will help even more when you open the Chorley court again.

Mr Peter Bone (Wellingborough) (Con): The victims of modern-day slavery experience the worst of violence and sexual assault. One of the ways in which we can keep them engaged with the justice system is for there to be victim navigators, which the Government are piloting. If that approach could be spread further, more people would be kept in the court system and more of these evil gangs would be taken off our streets.

James Cartlidge: My hon. Friend makes a very good point. As he will know, this is primarily a matter for the Home Office, but the roll-out of section 28 will support those cases. As we have mentioned several times today, there is a significant increase in funding for ISVAs, who provide significant support for dealing with precisely such issues as attrition and for ensuring that victims are supported throughout the process.

Topical Questions

T1. [900211] **Esther McVey** (Tatton) (Con): If he will make a statement on his departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Dominic Raab): Since the last Justice questions, I have published the Government's response to Jonathan Hall's independent review of terrorism in prisons and the Government's root-and-branch review of the parole system in England and Wales. I have also discussed action to hold to account the perpetrators of war crimes in Ukraine with International Criminal Court prosecutor Karim Khan and United States war crimes ambassador Beth Van Schaack.

Esther McVey: Delays in family courts were already far too long before covid, and the problem has only got worse since then. It often means that a parent is not able to see their child in the meantime—a point raised by many parents in my constituency of Tatton. Will the Minister make the reduction of those delays in the family courts a priority?

Dominic Raab: My right hon. Friend is absolutely right. As was mentioned earlier, something like 50% to 55% of cases that go to the family court are safeguarding or domestic abuse cases. I do think those need the authority of a judge, but the rest, frankly, should by and large be dispensed with before court through an alternative dispute resolution of one sort or another. We talked about considering making mediation compulsory, but crucially, we need the incentives and disincentives for early resolution to be unequivocal.

Mr Speaker: I call the shadow Secretary of State.

Steve Reed (Croydon North) (Lab/Co-op): Voters in Wakefield are furious that the Conservative party ignored a victim of child sexual abuse and allowed his paedophile abuser to become their MP. Will the Justice Secretary back an independent investigation into why his party failed to act on what this courageous victim told them?

Dominic Raab: Can I just say to the hon. Gentleman first of all that to politicise a case that has been subject and potentially remains subject to judicial proceedings is quite wrong? If he wants to talk to the voters of Wakefield about the choice at the upcoming by-election, it is a choice between Labour, which is weak on crime, and us. Violent crime has fallen by more than half since Labour was in office. We can talk about tougher sentences for dangerous sexual and violent offenders, which he voted against. We can talk about reoffending, which is lower than it was under Labour, or we can talk about funding for victims, which we have quadrupled since the last Labour Government.

T3. [900213] **Rob Butler** (Aylesbury) (Con): The Justice Committee recently visited HMP High Down and HMP Downview, where we saw excellent examples of businesses working with offenders to provide training and experience that will help them get a job when they are released, but there is a problem for prisoners trying to find out about job vacancies when they are still inside, because for very obvious reasons they cannot have access to the internet. Will my right hon. Friend

look into ways of overcoming that obstacle so that offenders have the best opportunity to apply for jobs before they are released?

Dominic Raab: My hon. Friend is absolutely right. Let me just talk him through what we are doing. The in-cell technology in the new prisons will give them much greater access for the purposes he described. We are also delivering digital upgrades to a further 11 prisons. The prison employment advisory boards will be crucial in linking local businesses with prisons. Critically, not only have we got key performance indicators, but I have increased the weighting for employment and skills from below 1% to 20%, so that governors focus on it. That will drive a step change in getting offenders into work.

T2. [900212] **Andy McDonald** (Middlesbrough) (Lab): The much-heralded diamorphine assisted treatment programme in my constituency has been running for two and a half years and produced some remarkable results, including a massive reduction in crime and the call on other health services. Sadly, the funding has now been withdrawn. If this programme unravels, all that work will be undone, so will a Minister meet me at the facility to discuss how we might secure its future?

Dominic Raab: I thank the hon. Gentleman for highlighting good examples of best practice, particularly in getting offenders off drugs. We know that that is the key, along with skills and getting them into work. If he writes to me on the facts of the case, I will certainly make sure that we look at it very carefully.

T6. [900216] **Lee Anderson** (Ashfield) (Con): Does my right hon. Friend agree that these eco-hooligans who are causing untold damage up and down the country should be made to pay every single penny it costs for the repairs and made to arrange the work, as well as doing their community payback?

Dominic Raab: A man after my own heart. My hon. Friend is right that it is a total abuse, which the Opposition seem to want to give succour to, to allow the freedom of speech and the right to peaceful protest to become a right to sabotage. It will be very interesting to see in the weeks ahead whether they stand on the side of the public or on the side of those saboteurs. The Public Order Bill will help us to address this issue, and I can also assure my hon. Friend that courts already have the power to impose compensation.

Mr Speaker: Order. I know that we may have some by-elections coming, but the fact is that we are on topicals, and they are meant to be short and sweet. Lots of Members want to get in, and you are stopping Members from getting in. It is not fair.

T4. [900214] **Mrs Emma Lewell-Buck** (South Shields) (Lab): My brave constituent Claire Ball used all her strength and courage to report that she was sexually abused as a child. She endured a painful court process, where her good character was continually called into question. While her abuser was allowed multiple character witnesses to state that he was a good person, Claire was not. What is the Secretary of State going to do to make sure that victims are afforded the same rights as perpetrators?

Dominic Raab: The hon. Lady is absolutely right. I mentioned earlier the increase in rape convictions that will be promoted by the use of section 28 to allow pre-recorded video evidence for the victims of rape and other serious sexual violence. She should also know that, working closely with the police and the Crown Prosecution Service, we are making great progress on Operation Soteria to make sure that the focus is on the accused rather than overwhelmingly on the victim who comes forward with the courage that that takes.

T7. [900217] **John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): The Government should be proud of their pioneering efforts to protect victims, and I very much look forward to seeing the draft victims Bill. Have they considered how their actions contrast with those taken by the SNP Government in Edinburgh? Victim Support Scotland says that Scotland lags behind the rest of the UK on victims' rights.

Dominic Raab: It is very telling that the SNP spokesperson, the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), did not want to talk about those issues or Scotland's record and asked us something totally outside the realm of Justice questions. My hon. Friend makes a compelling point, but we will not rest on our laurels south of the border. We will introduce a victims Bill that will place the victims code into law and send the clearest possible signal that the justice system must deliver for victims as a matter of moral correctness and to ensure the efficacy of the system.

T5. [900215] **Wendy Chamberlain** (North East Fife) (LD): In all nations of the UK, rape victims are being let down by criminal justice systems that make prosecuting rape extremely rare, lengthy and difficult. At present, charge rates for rape vary widely from 1.3% in Surrey, home to the Secretary of State's constituency, to 8.2% in Durham. Some 63% of cases are closed because the victim gives up on the process and withdraws from it. Despite progress on disposals, what additional steps is he taking to address that horrific reality?

Dominic Raab: First, we have seen a step change increase in convictions by 67%—two thirds—over the last year. I think the hon. Lady is wrong, if I may say so, to use the statistic that she used. In fact, the conviction rate has increased from 68% in July to September 2021 to around 71% in the last quarter. Through Operation Soteria, section 28 and changes that are being made to disclosure, we will drive a step change in support for victims with the quadrupling of victims funding, which will help to support victims through the process and secure more convictions.

T8. [900218] **Elliot Colburn** (Carshalton and Wallington) (Con): Carshalton and Wallington residents are rightly proud of Ray and Vi Donovan for their work to promote the rights of victims to go through restorative justice, which they went through after the murder of their son Chris. Can my right hon. Friend assure me, in my position as chair of the all-party parliamentary group on restorative justice, that access to restorative justice practices and services will be enshrined in the victims Bill and that funding will be outlined to go along with that?

The Parliamentary Under-Secretary of State for the Home Department (Tom Pursglove): I am proud that we are quadrupling victims funding to £185 million by 2024-25, which is up from £41 million in 2009-10. The fact is that the longer-term multi-year funding settlement that we are introducing should help to give certainty to restorative justice programmes. Raising awareness of restorative justice is also key, as my hon. Friend and I recently discussed, and I am giving that close attention.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Is the Secretary of State aware of the growing concern on both sides of the House about people in prison who have been charged with joint enterprise, and the fact that there is now a campaign to look at those cases and the kind of convictions that are taking place? Many people who are charged and imprisoned are later found to be on the autism spectrum. That is a real concern, so will he meet me and JENGBA—Joint Enterprise Not Guilty by Association—to talk about it?

Dominic Raab: I am very concerned about the endemic levels of mental health challenges and illness in prison. Interestingly enough, I have talked particularly to the Independent Reviewer of Terrorism Legislation about the link between autism and at-risk offenders. If the hon. Gentleman writes to me about the findings and learning that he has had, I will be happy to look at them carefully with the Secretary of State for Health and Social Care.

T9. [900219] **Derek Thomas** (St Ives) (Con): I had the great privilege of meeting A Band of Brothers, which is a voluntary organisation based around the UK, including in Cornwall. It works with and alongside men in the community who are in trouble with the law or at risk of getting in trouble with the law. Over 12 weeks, it helps those young men to get their lives back in order. The problem is that it works completely voluntarily. It has done great work to support the criminal justice system and safety in our communities. What more can be done to help it to grow and flourish and to upskill the great work it does?

The Minister of State, Ministry of Justice (Victoria Atkins): Is that not a sign of a community as a whole taking action, not just to reduce crime but to try to ensure that the young men my hon. Friend describes get on the straight and narrow and start to build healthy and happy lives for themselves? I would be delighted to discuss that further with him. I know for a fact that he has a superb police and crime commissioner, who I am sure will be supporting A Band of Brothers helpfully and meaningfully.

Dave Doogan (Angus) (SNP): The Secretary of State will be aware that police officer numbers play a key role in reducing crime and reoffending, so what plans does he have to increase England's officer level of 23 officers per 10,000 people to bring it closer to Scotland's of 32 per 10,000 people?

The Minister for Crime and Policing (Kit Malthouse): Mr Speaker, as you know, the Government are in the middle of a huge recruitment drive of police officers. We have, happily, increased the number by 13,500, and I am confident that by the end of the financial year we will have hit our 20,000 target.

Andy Carter (Warrington South) (Con): Families living near HMP Thorn Cross in my constituency have again raised with me concerns about absconds from this open prison. I am very grateful that the Minister took the time to visit the prison recently. Could she give us an update on what steps the Government are taking to reduce absconds from open prisons?

Victoria Atkins: I thank my hon. Friend for raising this, and I know the concerns his community have. As he rightly says, I visited Thorn Cross to see for myself and to ask the governor what can be done to improve the abscond rate. This is an open prison, so it is right that the assessments of risk for each prisoner entering Thorn Cross must be as full as possible to understand whether they have ties that may cause them to abscond

from an open prison. What I have done is commission a further look into the assessments that are conducted nationally to ensure that the team at Thorn Cross are able to manage the people who are staying there as well as possible for the local community.

Andy Slaughter (Hammersmith) (Lab): Given the constitutional importance of his role, is the Lord Chancellor considering his position in the Cabinet in the light of the Foreign Affairs Committee report on the withdrawal from Afghanistan?

Dominic Raab: No.

Mr Speaker: That is a quick answer—the best we have had to today—and we can learn from that.

Xinjiang Internment Camps: Shoot-to-Kill Policy

12.31 pm

Ms Nusrat Ghani (Wealden) (Con) (*Urgent Question*): To ask the Secretary of State for Foreign, Commonwealth and Development Affairs if she will make a statement on the shocking revelations on the BBC by Professor Adrian Zenz that the internment camps in Xinjiang do exist and operate a shoot-to-kill Uyghur policy in contravention of the previous statement by the Government of the People's Republic of China.

The Minister for Asia and the Middle East (Amanda Milling): Today's reports provide further shocking details of China's gross human rights violations in Xinjiang. They add to an already extensive body of evidence from Chinese Government documents, first-hand testimony, satellite imagery and visits by our own diplomats to the region. The reports suggest a shoot-to-kill policy was in place at re-education camps for detainees seeking to escape. This is just one of many details that fatally undermine China's repeated assertions that these brutal places of detention were in fact vocational training centres, or a legitimate response to concerns about extremism. On the contrary, the compelling evidence we see before us reveals the extraordinary scale of China's targeting of Uyghur Muslims and other ethnic minorities, including forced labour, severe restrictions on freedom of religion, the separation of parents from their children, forced birth control and mass incarceration.

We have already taken robust action in response. We have imposed sanctions, led joint statements at the UN, taken measures to tackle forced labour in supply chains, funded research to expose China's actions and consistently raised our concerns with Beijing at the highest levels. The Prime Minister did so most recently in a phone call with President Xi on 25 March. In 2019, we were the first country to lead a joint statement on China's human rights record in Xinjiang at the UN. Our leadership has sustained pressure on China to change its behaviour. We work tirelessly to increase the number of countries speaking out. By October 2021, our efforts had helped to secure the support of 43 countries for a joint statement on Xinjiang at the UN Third Committee, including Muslim-majority Turkey and Albania. In response to today's revelations, we will continue to work with our partners to raise the cost to China of its actions. We will continue to develop our domestic policy response, including introducing further measures to tackle forced labour in UK supply chains.

The UK stands with our international partners in calling out China's appalling persecution of Uyghur Muslims and other minorities. We remain committed to holding China to account.

Ms Ghani: I welcome the Minister's statement. She said so many things that will be so close to the evidence that was submitted to the independent inquiry that took place under Sir Geoffrey Nice QC. The inquiry determined that genocide against the Uyghurs is taking place. What more evidence do the Minister and the Department need to enable them to put in place their obligations under the genocide convention?

Today's leak of the Xinjiang police files contains more than 2,000 photographs of individuals aged from 15 to 73, who have been incarcerated just for being born Uyghur or Muslim. If someone does not drink alcohol or smoke, or has a beard, he is incarcerated.

One of the markers of genocide is breaking the link between parent and child: there are children in the re-education centres. Let us not forget the Chinese Communist Party's own words—they put the children in those centres to break their roots, break their lineage, break their connections and break their origins. That is a marker of genocide and I urge the Minister to call it out for what it is—the Uyghur genocide.

The evidence was on the BBC this morning because it coincides with the visit of Ms Bachelet, the UN High Commissioner for Human Rights. It is a rare visit, but the CCP has said that because of covid it will be a closed-loop visit. It will be in a bubble, and the CCP will control who Ms Bachelet sees and who she meets. That is another example of the UN being bullied by the CCP. Does the Minister share my concern that the UN visit, and any report produced, will deny the absolute truth of what is happening to the Uyghur people, which is genocide at the hands of the CCP?

Amanda Milling: The Foreign Secretary made it clear this morning that these latest reports provide further shocking details of China's gross human rights violations in Xinjiang, adding—as I said—to the already extensive body of evidence. I understand the strength of feeling in the House. As Members will be aware, it is the longstanding policy of successive British Governments that any judgment on genocide is a matter for a competent national or international court, rather than for Governments or non-judicial bodies.

As my hon. Friend the Member for Wealden (Ms Ghani) mentioned, this coincides with the visit by the UN High Commissioner, and we reiterate our longstanding call for the Chinese authorities to grant her unfettered access to the region so that she can conduct a thorough assessment of the facts on the ground. We are watching her visit very closely.

Catherine West (Hornsey and Wood Green) (Lab): I thank the hon. Member for Wealden (Ms Ghani) for once more bringing the question of the appalling human rights situation in Xinjiang to the House. The latest revelations are horrendous, but sadly not surprising. The Uyghur minority in the west of China have been systematically stripped of what few civil liberties they had, and subjected to treatment that this House has voted to call genocide.

We have known for some time that the situation in Xinjiang, so closely examined by the BBC's John Sudworth, constitutes outrageous human rights abuse, and the House has dedicated considerable time to urging further action by the Government to hold the Chinese authorities to account. Today is no different. The leaked police files we have seen today shed further light on the treatment of the Uyghur people, with a reported shoot-to-kill policy for escapees from the camps and other securitisation measures that expose as materially false the Chinese Government's claims that they are just vocational training centres.

The Minister will have heard the House today, so I will ask some brief questions. First, further to the meeting that the Foreign Secretary had with sanctioned

UK parliamentarians, some of whom are in their places today, what progress has been made on reforming the Government's policy on genocide, in light of these disturbing findings? Secondly, what assessment has she made of the genuinely unfettered access that Michelle Bachelet will have when in the region? Thirdly, will the Government use the Procurement Bill and the modern slavery Bill in this new Session of Parliament to protect British consumers from complicity in the Uyghur genocide and support British businesses who genuinely want to do the right thing?

What steps will the Government take to ensure that the equipment used to carry out the repressive surveillance detailed in the leak is no longer used in Government Departments or public bodies in the UK? Do the Government plan to impose further sanctions on entities and officials who have directed or carried out atrocities against the Uyghurs, including those named and quoted in these documents? Finally, will the Government provide support and refuge to Uyghur people fleeing the genocide, including those fleeing third-party countries in which they are at risk of detention and deportation back to China?

Amanda Milling: Let us be really clear: genocide is a crime and, like other crimes, whether it has occurred should be decided after consideration of all the evidence available in the context of a credible judicial process. I am aware that the Prime Minister and the Foreign Secretary met parliamentarians sanctioned by China, and the fact that that meeting took place demonstrates how seriously we take the issue.

On future policy, as I set out in my statement, we will continue to develop our domestic policy response, including introducing further measures to tackle forced labour and UK supply chains. On technology, we have a long-standing policy of not commenting about the detail of those arrangements. Finally, on sanctions, we have acted to hold to account senior officials and organisations responsible for egregious human rights violations taking place in Xinjiang. We keep all evidence and potential listings under close review, but it would not be appropriate to speculate about who may be designated in the future.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): I congratulate my hon. Friend the Member for Wealden (Ms Ghani) on gaining the urgent question and you, Mr Speaker, on having the foresight to grant it. I say to my hon. Friend the Minister that in essence this is really not good enough. We have been going on about this for some time. The Government still cannot decide whether there is genocide—we, alone among all the developed nations, are stuck on a ludicrous definition—and it is high time that they did. Is she aware that Alena Douhan, a UN human rights monitor, was in receipt of \$200,000 from China in 2021? That was unheard of in the past. Meanwhile, a UN high representative is going to China. What faith can we have that the UN will not be used as apologists for China? It is time we called that out and said, “Enough is enough. Unless you get direct access, we will not listen to a single word you say. China is guilty of genocide”?

Amanda Milling: I thank my right hon. Friend for his question. I reiterate that the Foreign Secretary made it clear that the latest reports provide shocking details. She also made it clear in her statement this morning

that it is essential that the Chinese authorities grant unfettered access for the high commissioner's visit. If such access is not forthcoming, all that will do is serve to highlight China's attempts to hide the truth of its actions in Xinjiang.

Mr Speaker: We come to the SNP spokesperson, Chris Law.

Chris Law (Dundee West) (SNP): The Xinjiang police files provide some of the strongest evidence to date for a policy targeting almost any expression of Uyghur identity, culture or Islamic faith and of a chain of command running all the way up to the Chinese leader, Xi Jinping. That follows the Uyghur tribunal that concluded that there is proof “beyond reasonable doubt” that China is committing crimes of torture, crimes against humanity and the crime of genocide. We simply cannot collect more and more evidence of atrocities being committed; we must act now. What plans are there to impose sanctions on Chinese officials named today, including Chen Quanguo, who chillingly told senior military figures: “even five years re-education may not be enough”.

Let us remember that he was responsible for many of the human rights abuses in the sovereign state of Tibet, which has been illegally occupied by China for some decades.

In line with recommendations from the Foreign Affairs Committee, has the Foreign, Commonwealth and Development Office begun engaging in dialogue with the International Criminal Court on the feasibility of an investigation into crimes committed against the Uyghurs in Xinjian—yes or no? Will the UK Government finally declare that China is committing genocide against Uyghurs in Xinjiang?

Amanda Milling: I have been clear on the shocking details that have emerged today, which are adding to an already extensive body of evidence, and very clear that we have been standing with international partners in calling out China's persecution of the Uyghur Muslims and other minorities. We remain committed to holding China to account. It is important to note that our policy on genocide determination does not prevent us from taking robust action, and we have done that. As I said in an earlier answer on future sanctions, we keep all evidence and potential listings under review, but it would not be appropriate to speculate.

Tim Loughton (East Worthing and Shoreham) (Con): This is shocking new evidence: 250,000 Uyghurs detained; re-education camps; in one county, 12% of the adult population actually detained over a couple years; shoot-to-kill policies; and everything else we already know about. This is genocide. What more evidence do we need that this is genocide? The Minister referred to the meeting that the Prime Minister and the Foreign Secretary had with sanctioned Members of Parliament last month, at which the Prime Minister expressed surprise that we seemed to be out of kilter with other countries in the way we define genocide. He promised to look at that again and come back to us to see if we can reform the way the Government define genocide, in keeping with the unanimous vote of this House to recognise that genocide has happened. Will the Minister update us, particularly those of us who have been sanctioned, on what progress is being made on that?

Amanda Milling: I thank my hon. Friend for his question. As I say, there is a long-standing policy of successive Governments in terms of any judgment on genocide. However, I do really understand the strength of feeling. I am aware that he met, with colleagues, the Prime Minister and the Foreign Secretary. The fact that that meeting took place demonstrates how seriously the Government take the issue.

Afzal Khan (Manchester, Gorton) (Lab): The chilling report leaked today shows that China's bloodthirsty campaign against Uyghur Muslims is showing no sign of slowing down. Despite repeated calls, the Government have been far too slow to act. Will the Minister finally—I ask again—commit to sanctioning Chen Quanguo, the chief architect of the massacre we are witnessing in Xinjiang? Will the Government use the Procurement Bill and the modern slavery Bill to ensure British supply chains are not tainted with the Uyghur genocide?

Amanda Milling: The UK has taken robust action. We have imposed sanctions, led joint statements at the UN and taken measures to tackle forced labour in supply chains. As I mentioned, we will continue to look at policies in this area.

Alicia Kearns (Rutland and Melton) (Con): The genocide of the Uyghur people has been taking place on an industrial scale for decades and we should not be unjust to the victims by pretending that what we are hearing today is somehow new or not something we did not already know. China is not being held to account: the UK is still shipping in products made from Uyghur blood labour; Canadian Solar plans to impose its solar panels on Rutland; and the Government are still contracting firms that are complicit in genocide, such as Hikvision. Will my hon. Friend please confirm that we will use the new Procurement Bill to end the ability of China to build its tech-totalitarian state on the backs of British biometrics and data, and the blood of the Uyghur people?

Amanda Milling: As I said, what we have seen in the latest reports this morning is truly shocking and adds to the existing volume of evidence. We are taking strong action, but we will continue to develop our policy response and introduce further measures to tackle forced labour in UK supply chains.

Jim Shannon (Strangford) (DUP): May I express just how angry and disgusted I am? I feel a deep abhorrence and a pain in my heart, as everybody else does—I know that you feel the same way, Mr Speaker—as China at the very highest level has the blood of innocents on its hands. Given the overwhelming evidence of the atrocities being committed in Xinjiang, as is apparent from the media today, will Her Majesty's Government and the Minister make an assessment of whether the actions of the Chinese Communist party in Xinjiang constitute genocide or crimes against humanity? I think they do, Minister—do you?

Amanda Milling: As I said, genocide is a crime and, like any other crimes, the position should be decided after consideration of all the evidence by a competent national or international court. But let me be absolutely clear: the latest reports are truly shocking, and the Foreign Secretary made that very clear in her statement this morning.

Sir Desmond Swayne (New Forest West) (Con): Given the limitations and restrictions, the Minister cannot now have any confidence in the UN visit, can she?

Amanda Milling: As the Foreign Secretary made very clear in her statement this morning, if access is not forthcoming, the visit will serve only to highlight China's attempts to hide the truth and its actions. We have been absolutely clear that unfettered access is essential.

Naz Shah (Bradford West) (Lab): There are cases where a man has been jailed for almost 17 years because the Chinese state determined his beard to be illegal and where someone has been jailed for having studied Islamic scriptures with his grandmother. We have now been made aware of reports that machine guns and snipers have been placed with orders to shoot to kill anyone, from the almost 2 million prisoners, who tries to escape those camps. What we are seeing in Xinjiang are Muslims being denied their Muslimness and the most grotesque and extreme versions of Islamophobia. Does the Minister agree that the latest revelations demonstrate the need for the British Government to take action and sanction Chinese officials involved in the human rights abuses in Xinjiang?

Amanda Milling: What we are seeing is truly shocking and adds to the body of evidence. We have been holding officials to account, and we have sanctioned senior officials and organisations, but we keep all the evidence and potential listings under review and I cannot speculate about future sanctions.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I suspect that the Minister gave a more revealing answer than she had intended to give to the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith), when she said that if there are to be restrictions on the UN party visiting the province, that would achieve only one thing: to expose China as a country that disliked outside scrutiny. That would hardly be exposing something that is a secret. Many of us hoped that that would trigger something more substantial by way of meaningful action from the Government.

Let me give the Minister the opportunity to answer the question posed by the Opposition Front Bencher, the hon. Member for Hornsey and Wood Green (Catherine West), and the Minister's hon. Friend the Member for Rutland and Melton (Alicia Kearns), who asked about Hikvision. Hikvision has produced the equipment that is used for surveillance in Xinjiang and it now wants access to our market. It would send a really powerful signal to say, "If you provide equipment of that sort to a place like China, you are not welcome in this country."

Amanda Milling: On Hikvision, we are deeply concerned by China's use of high-tech surveillance to target the Uyghurs and other minorities in Xinjiang disproportionately. We regularly raise those concerns alongside our partners, including in a joint statement that we supported, with 42 other countries, at the UN. Over the past year, we have introduced enhanced export controls that have strengthened our ability to block exports of software and technology that might facilitate human rights violations.

Imran Hussain (Bradford East) (Lab): Today's reports provide further evidence—not that it is needed—that tens of thousands of innocent Uyghur men, women and children are being tortured and killed in concentration

camps as part of a continued genocide. Why? Because they dare to grow a beard; they dare to talk about their faith; they dare to practise their faith; they dare to be Muslim. All we get from Government Front Benchers again are words without any action. The Minister, the Government and the international community must accept that their continued inaction leaves international Islamophobia unchallenged.

Amanda Milling: The reports have demonstrated further shocking details, adding to the evidence, but we have taken robust action. We have imposed sanctions; we have led joint statements at the UN; we have taken measures to tackle forced labour in supply chains; and we consistently raise our concerns with Beijing at the highest levels. As I said in my opening remarks, the Prime Minister did so in his recent phone call with President Xi. We are taking action.

Ms Marie Rimmer (St Helens South and Whiston) (Lab): We are talking about internment camps for peace-loving people, people who have a different faith from other Chinese people. This is once again about a Communist Government. During the past few months, there has been a rush from our Government to remove our dependency on the Russian economy due to its invasion of Ukraine. It is now widely acknowledged that the Government started that process too late. The World Health Organisation has even said that the Chinese had an ethical organ removal and transplant system. That was based on the Chinese Government's self-assessment, and it is now accepted—they have everybody in their pocket, including, it seems over here. When will the Government start the process of removing our dependency on the Chinese economy? If we leave it too late, it will be too hard to handle. China will be even harder than Russia to tackle, so will the Government please get moving? What is happening now is not achieving anything. I ask the Government please to take the proper action that we need.

Amanda Milling: I have set out on a number of occasions the actions that we are taking. When it comes to trade with China, it is essential that the trade is reliable, avoids strategic dependency and does not involve the violation of intellectual property or forced technology transfer.

Geraint Davies (Swansea West) (Lab/Co-op): We heard, by way of example, of the case of a mother who has been interned and may be subject to the shoot-to-kill policy because she is associated with her son, who has been imprisoned for 10 years on the grounds that he does not smoke and drink and may therefore have leanings towards religion. The Chinese Government at the highest levels seem to have no respect for human rights, the rule of law and democracy and are allowing genocide, yet we are not taking proper action on procurement and through the modern slavery Bill. High Speed 2 and Hinkley Point are reliant on China. We are selling off our microchips. Our universities are impregnated. What are we doing, in alliance with the United States and others, to take a concerted economic approach so that we stand up for our values and against genocide?

Amanda Milling: I have set out a number of our actions, which include standing with our international partners in calling out China's persecution of the Uyghur Muslims and other minorities. We remain committed to continuing to hold China to account.

Fleur Anderson (Putney) (Lab): I do not weep very often, but I wept when I heard from a Uyghur survivor about the forced abortion policy and its impact on her. It was horrendous evidence to hear.

The Chinese Government are simply not being held to account. There is no justice and no end in sight, despite all the measures that are being outlined. If this looks like a genocide, it is a genocide. If there is evidence that it is a genocide, it is a genocide. If the Uyghur tribunal chaired by Sir Geoffrey Nice QC has found that there is a genocide in which

“Hundreds of thousands of Uyghurs...have been...subjected to acts of unconscionable cruelty, depravity and inhumanity”,

it is a genocide. What steps will the Minister take towards declaring it a genocide? What practical measures will she be taking now? When will it be declared?

Amanda Milling: I understand the strength of feeling in the House today, but as hon. Members are aware, the long-standing policy of successive British Governments is that any judgment about genocide is a matter for a competent national or international court.

Robin Millar (Aberconwy) (Con): We have seen the careful, deliberate administration of the abuse and persecution of minorities before; we know what it means and where it leads. I appreciate the Minister's difficulty today. She has said on several occasions that these matters are being kept under review, so on the publication of the report of the UN High Commissioner for Human Rights on the conclusion of her visit, will the Minister commit to the review of which she speaks?

Amanda Milling: As I said earlier, it is important that the high commissioner makes this visit and that the Chinese authorities grant her full and unfettered access so that the review can be a thorough assessment of the facts on the ground. We are following her visit very closely.

Rachael Maskell (York Central) (Lab/Co-op): John Sudworth's BBC report this morning was chilling, both in scale and in content. I have to say that the Minister's response is woeful. The reality is that she is the person with the power that could make a difference to the genocide in China. What discussions has she had this morning with Chinese officials since the revelations in these papers? What was the response?

Amanda Milling: As I have said repeatedly, the evidence that we are seeing is shocking. The Foreign Secretary has made it very clear that these are shocking details that add to what is already an extensive body of evidence. I want to reassure the House that FCDO Ministers, civil servants and diplomats regularly raise the matter; I have raised it with the Chinese ambassador in London, for instance, and the Foreign Secretary has raised it with her counterpart, as has the Prime Minister. We regularly raise these issues.

Andrew Gwynne (Denton and Reddish) (Lab): I refer to my entry in the Register of Members' Financial Interests. The latest reports from Xinjiang confirm what we already knew: that appalling crimes, human rights abuses and genocide are happening to the Uyghur people.

[Andrew Gwynne]

I return to the issue of security used in this country. The Minister cannot just say that this is an issue of a commercial nature or one with security considerations. She is the Minister. This security equipment and these companies are being used by the British Government, their agencies and their public bodies. She could say today that we are not going to use them. Why does she not do so?

Amanda Milling: As I have said, we take the security of our citizens, our systems and our establishments incredibly seriously. We have a range of measures in place to scrutinise the integrity of our arrangements, but it is our long-standing policy that we do not comment on the details of those arrangements.

Nazanin Zaghari-Ratcliffe: Forced Confession

1.5 pm

Tulip Siddiq (Hampstead and Kilburn) (Lab) (*Urgent Question*): To ask the Secretary of State for Foreign, Commonwealth and Development Affairs if she will make a statement on the forced confession of my constituent Nazanin Zaghari-Ratcliffe.

The Minister for Asia and the Middle East (Amanda Milling): The treatment of Nazanin by the Islamic Republic of Iran has been horrendous. Her ordeal was exacerbated when Iran made it clear that it would not allow her to leave Tehran airport unless she signed a document. A UK official was present to facilitate the departure of both Nazanin and Anoosheh Ashoori, and passed on the message from the Islamic Revolutionary Guard Corps that she needed to sign a confession. Given the situation that Iran put Nazanin in at the airport, she took the decision to sign the document. No UK official forced Nazanin to do so.

Iran has a practice of insisting that detainees sign documents before they are released. Nothing about the cruel treatment by Iran of detainees can be described as acceptable, including at the point of release. We will continue to raise human rights concerns with the Islamic Republic of Iran, including over its detention of foreign nationals. The Government of Iran must end their practice of unfairly detaining British and other foreign nationals. We will continue to work with like-minded international partners to achieve that end.

Tulip Siddiq: Thank you very much, Mr Speaker, for granting this urgent question. Every time I ask a question about the subject, I hope that it is behind me. When we celebrated Nazanin's return in this Chamber, I thought I had asked my final urgent question about her, but this is now my ninth, after the shocking revelation that she was forced to sign a confession under duress before boarding the plane back to the UK from Iran.

For days in the run-up to her release, the IRGC had tried to make Nazanin write out and sign a document listing the crimes of which she was wrongly accused, admitting guilt, requesting clemency and promising not to sue or criticise the Iranian Government. At Tehran airport on 16 March, the day she was eventually allowed to fly back to the UK, she was again asked to do so by Iran. Instead, she tore up the piece of paper. It was only when a UK official told her that she had to sign it if she was going to board the plane that was waiting to take her home that she finally caved and gave Iran what it wanted. Nazanin returned home, but the toll on my constituent after six years of detention is unimaginable and unacceptable. I do not accept what the Minister is saying—that no one forced her. Nazanin knew that she could not get on the plane otherwise; the UK official told her that she had to sign that document to board the plane.

The human rights organisation Redress has written to the Foreign Secretary this week, setting out the view that the forced confession was

“part and parcel of the pattern of torture Mrs Zaghari-Ratcliffe had suffered since she was first detained in 2016 as it involves further infliction of severe suffering”

and that it appears that, in telling her to sign, “UK officials were complicit in an unlawful act by the Iranian authorities”

in violation of Government policy. I do not have to tell the Minister or anyone else in this House how serious an allegation that is. Redress and Nazanin’s family, including her husband, who is in the Gallery, argue that it is part of a systemic failure to respond to the torture of British citizens by foreign Governments and to hold those Governments to account.

I ask the Minister the following questions. For what reason was my constituent required to sign a forced confession? Did the Foreign Secretary or the Prime Minister personally authorise UK officials to advise Nazanin to sign the forced confession, or was that decision taken by officials without their knowledge? What is the status in UK law of the forced confession and of Nazanin’s two convictions in Iran? How can they be annulled? Is there any link between the UK Government’s refusal to accompany Nazanin to her trial in 2021 and the forced confession? Finally, will the Minister acknowledge and denounce Nazanin’s torture in Iran and commission an independent review of the UK’s approach to the torture of British citizens in Iran?

Amanda Milling: I thank the hon. Member for her questions and for raising Nazanin’s case so many times in this place.

As I said in my opening remarks, the Iranian authorities made clear at the airport that they would not allow Nazanin to leave unless she signed a document. I also said that the UK official present passed the message on to Nazanin. Given the situation in which Iran had placed her, she agreed to sign the document. The UK official did not force her to do so.

Iran put Nazanin through a cruel and intolerable ordeal, and FCDO officials raised allegations of torture with the Iranian authorities at the time. We have not received a response, but Iran is in no doubt about our concern at their treatment of Nazanin and our human rights concerns more generally.

Robert Jenrick (Newark) (Con): The news that Nazanin Zaghari-Ratcliffe was forced to sign this so-called confession is just the latest evidence of contemptible, despicable treatment of her by the Iranian authorities. In the light of that and all the other malign activities of the Iranian regime that we know of, may I ask the Minister why British officials in Vienna are currently supporting an agreement that would remove the Islamic Revolutionary Guard Corps from the foreign terrorists list? Are those reports correct, and if so, will the Minister give me an assurance that the United Kingdom Government will not put their name to any such agreement?

Amanda Milling: What I would say in response to the question about the negotiations in Vienna is that we have reached the end of the talks there to restore the nuclear deal. The deal that is on the table would return Iran to full compliance with its commitments under the joint comprehensive plan of action, and would return the United States to the deal. This deal represents a significant, comprehensive and fair offer to Iran, which would benefit the Iranian people. Iran should take the offer on the table as a matter of urgency, because there will not be a better one.

Mr Speaker: I call the shadow Foreign Secretary, David Lammy.

Mr David Lammy (Tottenham) (Lab): I am grateful to you, Mr Speaker, for granting the urgent question, and I think that the whole House is hugely grateful for the tenacity of my hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq).

It is right that the whole House celebrated when Nazanin Zaghari-Ratcliffe was finally released after four and a half years in unlawful and cruel detention by the Iranian authorities, but it remains the case that this Government, and particularly the Prime Minister, have serious questions to answer over their gross mishandling of the detention of her and other British nationals in Iran. Nazanin said herself that the Prime Minister’s mistakes had had a “lasting impact”, and that she had “lived in the shadow” of them for four and a half years.

We recognise the sensitive and difficult negotiations that led to the agreement for Nazanin’s release, but it is incredibly concerning that she was forced to sign a last-minute false confession as a condition of her release. Did the UK Government agree to that condition, and if so, was it the Foreign Secretary or another official who signed it off? What is the Government’s assessment of how the confession could be used by the Iranian Government against Nazanin in the future?

The Government must also answer the questions about their failure to secure the release of the British-Iranian Morad Tahbaz, who remains languishing in an Iranian jail. Tahbaz’s family were repeatedly told by senior politicians and officials at the Foreign Office that he would be included in any release deal, but that clearly did not happen. In the House on Wednesday 16 March, when I asked the Foreign Secretary about Tahbaz’s case, she said:

“we have secured his release on furlough. He is now at home.”—
[*Official Report*, 16 March 2022; Vol. 710, c. 945.]

However, Tahbaz’s family have made it clear that that is untrue. He was released for a mere 48 hours, and has since been returned to the “abhorrent and appalling” conditions of prison.

It is shameful that Iran continues to use Tahbaz as a pawn. I wrote to the Foreign Secretary about it, and I received a response this morning. I thank her for that response—received within the last hour—but we must have transparency. Can the Minister tell us why Morad Tahbaz has not been able to return home to the UK alongside Nazanin and Anoosheh Ashoori, as his family were promised? What progress is being made on securing Tahbaz’s release, and what progress has there been on securing his release to the UK, as was privately promised? Finally, what progress is being made on securing a visa for his wife to end the current travel ban?

Amanda Milling: I think that, in response to a number of other questions, I have already set out the situation relating to Nazanin and the situation in which she found herself. Iran does have a practice of insisting that detainees sign documents before releasing them, but the UK official did not force Nazanin to do so.

The Iranian Government committed themselves to releasing Morad Tahbaz from prison on indefinite furlough. Iran has failed to honour that commitment, and we continue to urge Iranian authorities at every opportunity to release him immediately.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Today's revelations just add to the horror that we all feel about the continuing treatment of Nazanin, but she is not the only UK dual national, in Iran or elsewhere, to suffer such treatment. May I bring to the Minister's attention the case of Alaa Abdel Fattah, a UK-Egypt dual national currently detained in Egypt, who has been tortured and has been on hunger strike for 53 days? Will the Minister meet his family and make representations to the Government of Egypt, hopefully with the same vigour that she has shown in relation to Nazanin?

Amanda Milling: I am grateful to the right hon. Gentleman for raising that case. I can reassure him that the FCDO is supporting Mr Abdel Fattah, and is urgently seeking consular access to him. We are in contact with Egyptian authorities about his case, and have raised it at the highest levels.

Mr Speaker: I call the Scottish National party spokesperson, Alyn Smith.

Alyn Smith (Stirling) (SNP): I commend the hon. Member for Hampstead and Kilburn (Tulip Siddiq) for asking the urgent question, and you, Mr Speaker, for granting it. I must confess that I had hoped we had spoken about Nazanin for the last time in the House, but I agree that this needs to be dug into properly. I salute Nazanin and Richard's bravery and, indeed, dignity—an ongoing dignity—and it is a great failure on all our parts that we are still needing to look at this issue.

For me, this boils down to the fundamental question of whether the last-minute confession was a surprise to the FCDO officials. It was certainly a surprise to Nazanin. The Minister has said today that Iran has a long-standing policy of demanding or extracting last-minute phoney confessions. Was this part of the FCDO deal? I acknowledge that these deals are not whiter than white—I do not think any of us are naive about that point—but was this phoney confession, this illegal phoney confession, part of the deal, and if it was, who in the FCDO signed it off?

The fact that the UK FCDO was complicit in that illegality—and I will happily be told that that is not the case—will surely give rise to a deep moral hazard for other hostages elsewhere, and, indeed, for the credibility of the UK Government anywhere in any talks. If this was a surprise and was bounced on the FCDO official at the last minute, what protest has been made since, and what assessment has there been of what this phoney confession will mean for the security of Nazanin's family who are still in Iran, given that it will be used as a tool by the Iranian Government against them?

Amanda Milling: As I said in an earlier answer, the Iranian authorities made clear at the airport that they would not let Nazanin leave unless she signed the document. The UK official passed on the message to Nazanin, and given the situation in which Iran had placed her, she agreed to sign it.

Rachael Maskell (York Central) (Lab/Co-op): Although the Iranian regime is fully responsible for the plights of Nazanin Zaghari-Ratcliffe and Anoosheh Ashoori over the past six years, it is clear that the actions of the

Foreign Office have not helped on many steps of their journey. Can we therefore have an independent inquiry into the actions and inactions of the Foreign Office that have hindered much of the progress that needed to be made?

Amanda Milling: Diplomats and civil servants within the Foreign Office have worked day and night to secure the release of Nazanin and Anoosheh, and on many other consular cases across the world.

Fleur Anderson (Putney) (Lab): The Minister has been asked this question twice, so I will try for a third time. Did the Foreign Secretary or the Prime Minister personally authorise UK officials to advise Nazanin to sign the forced confession at the airport in the way she has described, or was that decision taken by officials without their knowledge?

Amanda Milling: As I have made clear on several occasions now, the Iranian authorities made it clear at the airport that they would not allow Nazanin to leave unless she signed a document. As I have said, the official passed on the message to Nazanin, but the UK official did not force her to do so.

Christine Jardine (Edinburgh West) (LD): What we have heard today is just the latest horror after six years of mistreatment of Nazanin Zaghari-Ratcliffe by the Iranian Government. No one is suggesting that the officials in the Foreign Office have not done everything they possibly could, but what we have heard today adds to the suspicion that we need assurances about the British Government's actions and whether they contributed in any way to the difficulty in getting Nazanin home. Can we please have an independent inquiry so that we can be reassured?

Amanda Milling: As I have said in earlier answers, over all the time that Nazanin was detained and throughout the horrific experience she went through, officials and Ministers worked tirelessly to secure her release.

Andy Slaughter (Hammersmith) (Lab): In 2017, the Prime Minister said that Nazanin was teaching people journalism in Iran. She now says that she lived in the shadow of his words for the rest of her time in prison. He has never retracted those words, and he has never apologised for the harm he personally caused Nazanin and her family. Can the Minister tell us why?

Amanda Milling: It was always in Iran's gift to release Nazanin and Anoosheh. The UK will never accept our nationals being used for diplomatic leverage. The Prime Minister has previously apologised for the comments made about the case in 2017.

Hannah Bardell (Livingston) (SNP): I am delighted to see Nazanin home, and I pay tribute to the work and dedication of her husband Richard. As the chair of the all-party group on deaths abroad, consular services and assistance, I have met him a number of times. Nobody is disputing the great work that the staff in the foreign service do, but the reality is that the cuts that this Government are bringing to bear, along with the words and behaviour of the Prime Minister, as the hon. Member for Hammersmith (Andy Slaughter) said, created a huge amount of pressure and did a huge amount of damage to Nazanin's situation. We need to understand

the details of the forced confession, but we also need to understand what the Government will do to ensure that British citizens abroad who are incarcerated or who die in suspicious circumstances get the help and support that they deserve.

Amanda Milling: I am grateful to the hon. Lady for making the point that our officials and diplomats work tirelessly on consular cases to ensure that those who are unfairly detained are released. They are working across the globe to ensure that we support our British nationals.

Jim Shannon (Strangford) (DUP): I thank the Minister for her reply to the urgent question. I also commend the hon. Member for Hampstead and Kilburn (Tulip Siddiq) for all that she does. She quite inspires us in this Chamber, and we thank her for that. Does the Minister not agree that the media story and confirmation of this forced confession is a serious one, because the confession was seen to be signed under protest? With great respect, the thought that one of our diplomatic officers was present is a sobering one. How can we improve the service and support for citizens of this great United Kingdom of Great Britain and Northern Ireland overseas?

Amanda Milling: I think I have answered the questions in relation to the circumstances, but we stand ready to work with Parliament and the Foreign Affairs Committee on its inquiry.

Point of Order

1.25 pm

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): On a point of order, Mr Speaker. Last week, on Thursday 19 May, the Secretary of State for Digital, Culture, Media and Sport misrepresented several official statistics during a DCMS Committee meeting. The Secretary of State made incorrect claims about the level of public support for the privatisation of Channel 4, about how much revenue the independent production sector earns from Channel 4, about Channel 4's contributions to levelling up in comparison with other public sector broadcasters and about Channel 4's current and projected financial position. I ask that the Secretary of State comes to the Chamber to correct the record on the above and on any other misrepresentations that were made during the DCMS Committee meeting last week.

Mr Speaker: The Chair is not responsible for the accuracy of Members' statements made in the Chamber or in Committees. It is of course important that Committees get accurate responses from Ministers and others. There are opportunities for the Committee to pursue the issue if it believes that inaccurate answers have been given, and I am sure it will consider whether and how to pursue that matter. I know that the hon. Member will not leave it here, and that he will pursue it through the other channels that are available to him to ensure that the record will suit what he desires.

Northern Ireland Troubles (Legacy and Reconciliation) Bill

Second Reading

Mr Speaker: No reasoned amendment has been selected.

1.27 pm

The Secretary of State for Northern Ireland (Brandon Lewis): I beg to move, That the Bill be now read a Second time.

The troubles represented a terrible period in Northern Ireland's past and in these islands as a whole. They claimed the lives of some 3,500 people in Northern Ireland, across Great Britain and in Ireland. They left tens of thousands injured and they impacted all aspects of our society. Many across the whole of our country still bear the scars, both visible and invisible, today. That Northern Ireland in 2022 has come so far in so many ways is a testament to the spirit and strength of its people and to the vision, bravery and determination of those who forged the Belfast/Good Friday Agreement. It is also a testament to the sacrifice of those men and women who went out each morning to uphold democracy and save lives, rather than those who went out to take them.

Looking around today, I see many wonderful examples of a transformed, inclusive, peaceful Northern Ireland, yet despite this exceptional progress, the troubles continue to cast a shadow over all those impacted and over wider society. Community tensions and divisive politics can undermine stability. This legacy of the troubles is an issue that successive Governments have attempted but ultimately been unable to resolve, because it concerns one of the most complex, sensitive and difficult periods in our country's history, but we cannot stand by and do nothing; we cannot let the status quo continue. To do that would be a dereliction of our duty to the people of Northern Ireland and to those who served their country during that dark period. It would be a dereliction of duty to families across the United Kingdom who still seek answers about what happened to their loved ones, in some cases more than 50 years ago.

This Government recognise the huge challenges involved in seeking to address Northern Ireland's past. We have a responsibility to ensure that future generations do not suffer in the same way as those who have gone before them. With every year that goes by, the opportunity to obtain answers for those who lost loved ones in the troubles diminishes further. We have a responsibility to ensure that children can grow up together, be educated together and understand all aspects of our shared past—a past that, at times, was bitter, difficult and inordinately painful for everyone involved.

The current system is broken. It is delivering neither justice nor information to the vast majority of families. The lengthy, adversarial and complex legal processes do not offer the most effective route to information recovery, nor do they foster understanding, acknowledgment or reconciliation. Faith in the criminal justice model to deal with legacy cases has been undermined. The high standard of proof required to secure a successful prosecution, combined with the passage of time and the difficulty in securing sufficient evidence, means that victims and their families very rarely, if ever, obtain the outcome they seek from the process.

We need to be honest about the limitations of focusing on criminal justice as a means to secure truth and accountability in relation to what happened to those who were killed or injured. It is arguably cruel to perpetuate false hope while presenting no viable alternative to deliver the information that so many families and survivors seek. That is why we are introducing legislation that seeks to address this most difficult and sensitive of issues.

Jim Shannon (Strangford) (DUP): The Secretary of State mentioned those who served in uniform. I remind him gently and kindly, but seriously as well, that my cousin Kenneth Smyth and his friend Daniel McCormick, both in the Ulster Defence Regiment, neither of whom were able to—excuse me. No IRA man was ever made accountable for their murders 51 years ago. Stuart Montgomery, a wee 20-year-old police officer was murdered outside Pomeroy—no IRA man was ever made accountable for his murder. John Birch, Steven Smart, John Bradley and Michael Adams, the four UDR men killed at Ballydugan, four men who served this country in uniform—no one was made accountable for their murders.

Secretary of State, you can understand the angst and the agony that I have on behalf of my constituents. I want to have the justice that they have been denied for over 50 years—in the case of the four UDR men, for 32 years this Sunday past. What are you doing to make sure that happens?

Brandon Lewis: The hon. Gentleman gives a powerful and clear outline of the difficulty and pain that people feel, as he has just shown, in this very complex and sensitive area. He makes that point better than almost anybody else could. He touches on the very challenge we face, as we have seen over the past few decades, with the failure of the current system to bring that accountability, understanding and truth for people. As I will outline over the next few minutes, through this legislation we want to achieve an outcome that means people get the truth, with which comes accountability. He is right to focus on that for his constituents.

Tony Lloyd (Rochdale) (Lab): Like the hon. Member for Strangford (Jim Shannon), I have met many victims of the violence and the loved ones of those who died. They still want the Stormont House agreement to be implemented. The Secretary of State has to account for this. The civil proceedings on the Ormeau Road events revealed a lot of detail, as did the Kingsmill and Ballymurphy inquests. They all revealed truths that had not been known. What the Secretary of State describes as an adversarial approach to seeking justice actually works. This will disappear and he has to account for that.

Brandon Lewis: It is not going to disappear. What we are looking to do is to have a full, independent, investigative, article 2-compliant process. I will touch on that in the next few minutes.

Several hon. Members rose—

Brandon Lewis: I will just make a bit of progress and then take some more interventions.

Drawing its core principles from the important work and principles of Stormont House, which the hon. Gentleman mentioned, this legislation focuses on effective and timely information recovery, and the answers and

accountability that come with it, for both families and survivors, as well as aiding reconciliation and helping society move forward.

The Bill will deliver on our manifesto commitment to the veterans of our armed forces, security services and the Royal Ulster Constabulary by providing the men and women who served to protect life in Northern Ireland with the certainty they also deserve. Many of them, of course, are also victims, or friends and family of victims.

No longer will our veterans, the vast majority of whom served in Northern Ireland with distinction and honour, have to live in perpetual fear of getting a knock at the door for actions taken in the protection of the rule of law many decades ago. With this Bill, our veterans will have the certainty they deserve and we will fulfil our manifesto pledge to end the cycle of investigations that has plagued too many of them for too long.

I acknowledge the many hon. and right hon. Members on both sides of the House, particularly my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) and my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), as well as my right hon. Friends the Members for Chingford and Woodford Green (Sir Iain Duncan Smith) and for New Forest East (Dr Lewis) and the hon. Member for Barnsley Central (Dan Jarvis), who have campaigned tirelessly and with great dignity on this issue. Indeed, I recognise that many victims and veterans groups more widely across Northern Ireland and Great Britain have campaigned for a long time for better outcomes for victims and survivors.

We were clear when we published our Command Paper last July that we would listen to feedback with an open mind, and my team and I have done just that over the last 10 months. We have heard the pain and perspectives of people from all viewpoints and communities. During those conversations, we repeatedly had to confront the very painful reality that, with more than two thirds of troubles-related cases now 40 years old, the prospect of successful prosecutions is vanishingly small, which is why this legislation marks a definitive shift in focus by having information recovery for families at its core.

Mr Alistair Carmichael (Orkney and Shetland) (LD): In all candour, I do not envy the Secretary of State's task. He describes it as painful, difficult and sensitive. All those words are absolutely correct, but this is not the first time we have been in this situation. Since the days of John Major and Tony Blair, the only way we have been able to make progress is to get everybody together to build consensus and then introduce legislation. It is surely already apparent from today's debate that the Secretary of State does not have that consensus, so what does he hope to achieve by introducing this legislation?

Brandon Lewis: The right hon. Gentleman makes a reasonable point. As I said, it is widely acknowledged that this is a very difficult and painful area on which there has not been consensus. There was not even full cross-party consensus on Stormont House. That is why there are times like this when, having listened to everybody—the political parties, the victims groups and the veterans groups—it is sometimes for us in Government to take those difficult decisions to find a way forward that can deliver a better outcome for people.

Dr Julian Lewis (New Forest East) (Con): I think I heard my name in the list the Secretary of State read out earlier.

As early as April 2017, the Select Committee on Defence recommended a statute of limitation combined with a truth recovery process. One reason we felt able to recommend this is that the Northern Ireland (Sentences) Act 1998 meant that no one, no matter how many murders they had committed, could face a jail sentence of longer than two years, which meant being released in one year or 18 months at most. So there is no question of punishment fitting the crime, and there is no question of it not being the same for service personnel and terrorists—the Act has already established that—so the question is, what will stop the process, because the process of trying elderly veterans is the punishment, rather than the sentence.

Brandon Lewis: My right hon. Friend makes an important point. I am very aware that the Defence Committee has published two reports in this area, and they are well worth reading. They recognise the changes that mean the criminal justice system for these cases is not like the criminal justice system for other types of crime across the United Kingdom. The reality is that, after the Belfast/Good Friday agreement, we had the 1998 Act and decommissioning, among other things that I will touch on in a moment, and it means that we in Government are looking at what we can do, based on the reality of where we are, with a very difficult and imperfect situation that has developed through difficult decisions made in the past, to deliver a better outcome in the future.

It is also about understanding that, regrettably, a distorted narrative of the past has developed over time. This legislation will help to ensure that more victims and survivors, some 90% of whom are of course victims of terrorist violence, are able to obtain answers about those who caused it.

Jim Shannon: The person who killed Lexie Cummings, who was murdered in Strabane, escaped across the border with an on-the-run letter. Where is the justice for Lexie Cummings' family, when his killer has an on-the-run letter, gets away with it and now has a prominent role in a political party across the border? Where is the justice, Secretary of State?

Brandon Lewis: If the hon. Gentleman will bear with me just a few minutes, I will answer that very question very specifically.

Dr Andrew Murrison (South West Wiltshire) (Con): I applaud the intent of the Bill and I want to see the end of the harassing of our veterans—people who have served this country well in uniform. My right hon. Friend talks of accountability a lot. Where is the accountability in the granting of immunity to people who have murdered or seriously maimed other people?

Brandon Lewis: My hon. Friend makes a very important point. One of the things that has been clear in talking to victims groups, and obviously one of the challenges of this issue is that different people, even within the same family, can have very different views about what they see as a successful outcome for their family, in terms of finding a resolution, or information and understanding.

[Brandon Lewis]

With that information and understanding, as the Bill will outline, can come accountability. It is right that we have accountability, but as my right hon. Friend the Member for New Forest East, who was Chairman of the Defence Committee, outlined in his report, we cannot have justice in the sense of the punishment fitting the crime following what was done in the Northern Ireland (Sentences) Act. I will touch on that in a few moments.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): I am listening carefully to my right hon. Friend. May I ask him a linked question? Is not one of the problems that those who can be pursued through the courts tend to be those who were working on behalf of the Government, because there are records, which are well kept and in huge detail? There is little in the way of records on those who committed terrorist acts, on whichever side of the community. What, in general and specific terms, will happen to the letters of comfort that have caused such chaos in many of those cases?

Brandon Lewis: My right hon. Friend makes the same point, and I will deal with that issue specifically in a few moments.

My message to victims and survivors, many of whom have engaged with us since we published the Command Paper last year, is that we have listened, and carefully. We understand that, no matter how small the prospect of a successful criminal justice outcome, that possibility is something that they do not want to see removed entirely, and I know that, despite the changes we have made, this legislation will none the less remain challenging for some.

I want to say directly to all those individuals and their families that I, and we as a Government, respect the personal tragedies that drive their determination to seek the truth and accountability for the losses that they have suffered. I share that determination. The Government are not asking and would never ask them to forget what they have been through in the name of reconciliation. This is about finding a way to obtain information and provide accountability more quickly and comprehensively than the current system can and in a way that aids reconciliation both for them and for the whole of Northern Ireland.

I am immensely grateful to the many people who have engaged with us, sharing their deeply moving experiences and helping us to understand the sheer frustration and hurt that they feel over the loss of loved ones. Every tragedy remains raw, as we have seen even this afternoon in this Chamber, with the pain of many as strong today as it was on the day it happened.

Stephen Farry (North Down) (Alliance): I have a question about engagement with the Command Paper. The Secretary of State will know that virtually every victims group and every political party had major concerns about that. With whom have the Secretary of State and his officials engaged on the details of the revised legislation? As far as I can see, not a single victims group in Northern Ireland has been engaged with on the details, never mind supports it. The Northern Ireland Human Rights Commission, which the Government have a statutory duty to consult, have not been engaged with.

The political parties in Northern Ireland have not been engaged with. So who exactly have the Government engaged with on the Bill before us today specifically?

Brandon Lewis: I do not recognise that description of events from the hon. Gentleman. There has been wide engagement on this, both with the political parties, including his own just last week, and with parties more widely.

The first part of the Bill provides that, for the purposes of this legislation, the period of the troubles is defined as beginning on 1 January 1966 and ending on 10 April 1998—the date of the signing of the Belfast/Good Friday agreement. Part 2 provides for the establishment of a new independent commission for information recovery, tasked with carrying out robust, effective and thorough investigations into the deaths and injuries that occurred during the troubles, for the primary purpose of information recovery.

We recognise the importance of the new commission being able to deliver its functions with absolute independence. This will be crucial to gaining the trust of families, survivors and individuals who decide to engage in the information recovery process. That is why the UK Government will have absolutely no involvement in the commission's decision-making process. The new commission will have all the necessary policing powers to conduct its own thorough investigations, including the ability to compel witnesses and test forensics. The body will be supported for the first time by a legal requirement for full disclosure from UK Government Departments, security services and arm's length bodies to make sure that it can gather all the evidence that it needs to establish what happened in each case.

Sir Robert Neill (Bromley and Chislehurst) (Con): I recognise that my right hon. Friend and the Government are doing their level best in good faith to deal with a sensitive and intractable situation. Does he recognise that the establishment of the Goldstone commission in South Africa, which is not an exact parallel but has similarities, was itself beset by considerable controversy at the beginning, but its ultimate success was largely due to the stature and integrity of Justice Richard Goldstone as its chair? He was a former Supreme Court judge of South Africa and a former prosecutor for the international tribunals in both Yugoslavia and Rwanda, so a man of impeccable integrity and independence. Will my right hon. Friend make sure that, when we look for someone to be the chief commissioner, that is exactly the sort of person we will seek—someone with experience in these jurisdictions, but not necessarily even from the UK jurisdiction? Having someone of that level of standing will be critical, will it not, for the credibility of the decisions that the commission will be entrusted with?

Brandon Lewis: My hon. Friend is right in the example that he gives. I will reference another one later. Operation Kenova has been successfully led and was also regarded with some scepticism at the beginning. It has shown that a piece of work, if properly done by the right people, can gain credibility, acceptance and understanding. My hon. Friend gives a good outline of exactly how this can be taken forward in a successful way for people.

Richard Drax (South Dorset) (Con): I commend the Government for doing all they can to deal with this sensitive issue—as we have seen today. Having served in

Northern Ireland for three tours, I quite understand where the sensitivity comes from. If this commission is going to find the truth, the likelihood is, as my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) has said, that on the soldiers' side the evidence is there but for terrorists on both sides of the divide, it is not. How are the victims going to get the peace that we all want them to have when the truth is unlikely ever to be found?

Brandon Lewis: My hon. Friend makes a good and important point. He is quite right. One of the challenges is the point about balance that I made a few moments ago. As we go forward it is important, first, that records will be made available in a way that they have not been made before, going beyond what we have done before with a legal duty for the first time on Government Departments, agencies and bodies, which will mean that a whole range of information will be available for the commission to look at. Of course, if people come forward with information, particularly in a demand-led process, as I will outline in a few moments, it will provide an opportunity for people to seek the investigation of crimes by an investigatory body with the right kinds of powers. Those crimes were committed in the vast majority, as he has rightly outlined, by terrorists who went out to do harm in Northern Ireland.

We as a Government accept that, as part of this process, information will be released into the public domain that may well be uncomfortable for everyone. It is important that we as a Government acknowledge our shortcomings, as we have done previously in relation to that immensely challenging period. It is also important, as hon. Friends have said this afternoon, that others do the same. Some families have told us that they do not want to revisit the past, and we must respect that. The new commission will therefore be demand-led, taking forward investigations if requested to do so by survivors or the families of those who lost their lives. The Secretary of State will also be able to request a review, ensuring that the Government can fulfil their obligations under the European convention on human rights.

Ian Paisley (North Antrim) (DUP): The Secretary of State used an interesting phrase when he said that others must play their part. On the Northern Ireland Affairs Committee, we have heard evidence of hundreds of people being murdered along the border between Northern Ireland and the Republic of Ireland but the terrorists having then fled to the safety of the Republic of Ireland for sanctuary and stayed there. What assistance, if any, has the Republic of Ireland given? Will any evidence that is gathered there never be made available to the commission in Northern Ireland? Will we therefore have a blindsided, one-sided process that does not allow the Republic of Ireland to be held to account for its covering over and hiding of terrorists for decades?

Brandon Lewis: I know that the hon. Gentleman and other colleagues have previously raised cases with both me and the Irish Government. One thing that was outlined in the papers that were signed off and agreed by me and the Minister for Foreign Affairs in the Irish Government around a year ago was that the Irish Government also committed to bringing forward legislation in Ireland on information recovery, to deal with that very point.

Ian Paisley: Where is it?

Brandon Lewis: I have not seen it yet, but I hope we will soon see something from the Irish Government to ensure that in both jurisdictions we are working to make sure that people have as much access to information as possible.

Written reports of the commission's findings will be provided to the families or survivors who request an investigation. The reports will also be made publicly available, to provide accountability by ensuring that wider society can access the commission's findings and understand and acknowledge the events of the past.

After we published our Command Paper, many individuals and organisations told us that an unconditional statute of limitations for all troubles-related offences was just too painful to accept. They said that we must not close the door on the possibility of prosecutions, however remote the chances might be. We have also heard from those in our veterans community who are uncomfortable with any perceived moral equivalence between those who went out to protect life and uphold the rule of law and terrorists who were intent on causing harm. Of course, there never could be a moral equivalence of that type.

For the reasons I have just set out, we have adjusted our approach to make this a conditional model. To gain immunity, individuals must provide, if asked, an account to the new commission that is true to the best of their knowledge and belief. That condition draws parallels with aspects of the truth and reconciliation commission that was implemented in South Africa, as my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) outlined. The commission will require individuals to acknowledge their involvement in serious troubles-related incidents and to reveal what they know.

Let me turn to a point made by my right hon. Friend the Member for Chingford and Woodford Green and others. The provisions will also apply to individuals who have previously been provided with the so-called on-the-run letters, or letters of comfort. When issued, those letters confirmed whether or not an individual was wanted by the police, based on evidence held at that time. However, I want to be crystal clear that the letters have absolutely no legal standing and cannot be used to prevent prosecution under this new approach.

Mr Gregory Campbell (East Londonderry) (DUP): On the OTR letters, some of us stated at the time, and have done since, that the only way that the people of Northern Ireland and across the UK will be able to understand and believe that the OTR letters are null and void is when a person in receipt of such a letter stands in a court of law and the judge says, "Irrelevant. The case will proceed."

Brandon Lewis: I take the hon. Gentleman's point. That is why I made the point I just made, which I will repeat because I want to be absolutely clear about this: these letters have no legal standing. They cannot and will not be accepted and they cannot be used to prevent prosecution under this new approach. The new body's investigations will continue regardless of people holding those kind of letters.

Ian Paisley *rose*—

Brandon Lewis: I am just going to make a bit of progress.

It is crucial that people with the right level of expertise take the important decisions, as my hon. Friend the Member for Bromley and Chislehurst outlined. That is why a judge-led panel will make the decisions about whether immunity should be awarded, aided by guidance that we will publish prior to any such decisions being made.

The introduction of this legislation is firmly in the context of the Belfast/Good Friday agreement and the decisions taken as a result of that agreement in the name of peace and reconciliation, outlined by others this afternoon, that have already fundamentally altered the criminal justice model in Northern Ireland for troubles-related offences.

Sir Iain Duncan Smith: Let me ask my right hon. Friend a specific question. If somebody who committed a terrorist act appears before the truth and reconciliation commission and, during that appearance, talks a lot about what happened and names names, including the name of somebody who was involved in such a crime with them but refuses to give evidence to the commission, will the courts use the evidence provided as part of the truth and reconciliation process to prosecute the individual who refuses to testify before the commission?

Brandon Lewis: Yes. I will go further: as we will outline in guidance, people will not be able to benefit if they come forward at the last moment. They have to engage at the point when they are asked. The short answer to my right hon. Friend's question is yes.

Mr Mark Francois (Rayleigh and Wickford) (Con): I welcome the fact that after four years and two general election manifestos, the Government have finally brought forward the Bill that they have been promising the House for so long, but will the Secretary of State reassure me and my colleagues on one very important point? There are suggestions that the reconciliation process could take five years or longer. Many of our veterans are in the autumn of their lives, many are in poor health and some may well pass away before we get to that point. Will the Secretary of State reassure me and the House that this legislation, which was advertised as bringing vexatious prosecutions to an end, will not actually institutionalise precisely that problem?

Brandon Lewis: Yes, I can give that assurance. As will be shown throughout the Bill's passage, we are absolutely determined that it does not institutionalise the kind of problem that we are seeking to resolve, as well as, obviously, looking to deliver for the people of Northern Ireland. I can give my right hon. Friend that reassurance.

Ian Paisley *rose*—

Brandon Lewis: I shall take one more intervention and then make a fair bit of progress.

Ian Paisley: I thank the Secretary of State allowing this intervention. On the matter of the on-the-runs, can he confirm that Rita O'Hare is still wanted by the authorities for her deeds in respect of the murder of British personnel? Can he confirm that an elected representative in Northern Ireland holds an OTR letter?

Brandon Lewis: I am sure the hon. Gentleman will appreciate that I am not going to comment on particular cases, but I will say again that the so-called on-the-run letters have no basis in law and will not prevent or play a part in the process that we are outlining in this Bill. If somebody is in possession of one of those letters, they will still be subject to this legislation and, potentially, to prosecution.

As I have outlined, as a country we have already fundamentally altered the criminal justice model in Northern Ireland for troubles-related offences. We have seen the early release of prisoners under the Northern Ireland (Sentences) Act 1998 and the process of secretly decommissioning weapons, and of course there is already an effective amnesty for those who provide information to the Independent Commission for the Location of Victims' Remains. Although the Government believe that the difficult decisions taken at those points were absolutely right for the peace process, the overall approach to addressing legacy issues has not since been adjusted to reflect those very decisions.

We cannot simply pretend that things did not happen or that challenging compromises were not rightly made. As a result, the context in which we approach these issues is fundamentally different from that for any other crime across the country. The Bill strikes a balance between a focus on information recovery through an investigative process that is compliant with international obligations, and ensuring that those who choose not to engage will remain liable to prosecution, should the evidence exist. The provisions will apply to everyone equally.

Part 3 of the Bill details the impact of the proposals on ongoing and future proceedings within the current criminal, civil, inquest and police complaints systems. From the date the Bill comes into force, no other organisation in the UK, apart from the new information recovery commission, will be able to take forward a criminal investigation into a troubles-related incident.

Sir Robert Neill: Will my right hon. Friend give way on the criminal justice point?

Brandon Lewis: Just a moment.

Any existing cases in which a decision has been taken to prosecute will be allowed to continue to their conclusion. Future prosecutions will remain a possibility for those involved in offences connected to a death or serious injury, if they do not actively come forward. We have listened to the concerns expressed, following the publication of our Command Paper, about active civil claims and inquests, which is why we no longer propose to bring them to an immediate end. Civil claims that had already been filed with the courts before the Bill was introduced will be allowed to continue, but new cases will be barred. Inquests that have reached an advanced stage by 1 May next year, or the date on which the new commission becomes operational, will continue. New and existing inquests that have not reached an advanced stage by that point will not continue in the coronial system, but may be referred to the judge-led commission for investigation.

Sir Robert Neill: I am grateful to the Secretary of State for giving way again. Will he help me on two matters? First, will he explain—this harks back to the point made by my right hon. Friend the Member for

Chingford and Woodford Green (Sir Iain Duncan Smith)—how he envisages the interaction between clause 7, which will set limitations on the admissibility of certain material in criminal prosecutions, and the provision in clause 22 on the commission's power to refer material? By the sound of it, compelled testimony and other types of material will be excluded, in meeting what I take it will be the full code test that will be applied by the relevant prosecuting authority.

Secondly, has the Secretary of State assessed the risk of satellite litigation by means of legal challenges to the decisions of the commission to make referrals? How will such challenges be dealt with?

Brandon Lewis: My hon. Friend, as ever, makes insightful points. We are cognisant of those things and will go through them in Committee and in the guidance that we will issue. That is why it is important, referring to his earlier point, that this is a judge-led commission, which involves very highly respected investigative individuals in the process.

While addressing the legacy of the past rightly focuses on those most directly affected, it is a sad fact that the troubles have touched the lives of everyone in Northern Ireland, and across the rest of these islands in different ways, including many of those born after the Belfast/Good Friday agreement was signed. It is therefore important that we think of reconciliation and remembering in a societal as well as in an individual context. That is why, under part 4 of the Bill, an expert-led memorialisation strategy will lay the groundwork for inclusive new structures and initiatives to commemorate the tragic events of the past—to help us all collectively remember those lost and ensure that the lessons of the past are not forgotten.

Stephen Farry: Will the Secretary of State give way?

Brandon Lewis: No, I will make some progress.

A major new oral history initiative will be launched. We will want to make this one of the most ambitious and comprehensive approaches to oral history that has ever been attempted, drawing on international models and concentrating on collating lived experiences and testimony and setting them within their appropriate historical context. The public, including academics and historians, will have access to more information than ever before. As well as opening up archives in a major digitisation project, rigorous new academic research commissions will allow for a fuller examination of the conflict than has ever been possible. This will be supported by a new official history, led by independent historians with unprecedented access to the UK documentary record. Consistent with the Stormont House agreement, these provisions will create opportunities for people from all backgrounds, particularly those who may not have been heard before, to share their experiences and perspectives relating to the troubles and to learn about those of others.

The legislation we are bringing forward will implement a legally robust and effective information recovery process that will provide answers to families, uphold our commitment to those who serve in Northern Ireland, and help society to look forward, while, importantly, also recognising that those who chose, or do choose, not to reveal what they know should remain indefinitely liable to the threat of prosecution. We must recognise

that, notwithstanding the important changes that we have made to the proposals as set out in July last year, this legislation, I accept, will be very challenging for many.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): I thank the Secretary of State for giving way. My hon. Friend the Member for Belfast East (Gavin Robinson) will hone in and focus on this in more detail in his contribution, but there is one point that I want to raise. One of the most difficult aspects of the Belfast agreement was the decision that, if someone was convicted of a terrorist-related offence, they would serve a maximum of two years in prison. Under the proposed Bill, that will now be reduced to zero tariff—no time spent in prison. Where is the incentive in all of this for someone to come forward and to co-operate in a possible prosecution process when they know that, at the end of the day, if they just hunker down for the next five years and say nothing, there is no downside for them because they will never go to prison anyway?

Brandon Lewis: I appreciate the right hon. Gentleman's point, and I know that it is one that he and his colleagues want to explore over the period ahead, and I look forward to discussing this with them. However, there is a very big difference here with somebody having a criminal prosecution. One thing that has been fed through to us, and one comment that has been made in a number of engagements with different groups and parties, is that it is not necessarily about somebody serving time in prison, which, as a number of colleagues have said this afternoon, no longer necessarily fits some of the heinous crimes that were committed by terrorists during that period. It is about that accountability that comes with a prosecution if one is successful. None the less, I do recognise the point that he has made.

Trust and confidence in the new commission will need to be earned through its actions. As the commendable work of Jon Butcher and Operation Kenova has proven, this can be done and has been done successfully in that example. As the historic Belfast/ Good Friday agreement approaches its 25th anniversary, now is the moment to move forward in dealing with the terrible legacy left by the troubles, to find answers for families who seek it, to provide accountability for the wrongs done on all sides and, ultimately, to bring understanding to the next generation so that they can move forward in peace in a society that has reconciled itself with the horrors of its past.

This is a hugely significant step towards enabling true reconciliation. In order to enable society to look forward with confidence, letting the status quo continue is just not good enough. Compassion and commitment require honesty about these painful realities and about the difficult compromises that we have already had to make and that we need to make going forward. The moment has come for us all to face these head-on for the sake of the next generation.

The Northern Ireland Office has recently relocated to offices in the centre of Belfast, which is another sign of progress and something that would have perhaps seemed unthinkable 20 years ago. On the building opposite our entrance, there is a quote on the wall that colleagues will have seen as they walk past, or visit, that establishment. It reads:

[Brandon Lewis]

“A nation that keeps one eye on the past is wise. A nation that keeps two eyes on the past is blind.”

That is our challenge: to see how we can provide families and society with a way to remember and reconcile, but also enable us to look forward and to focus on a better future for all. I commend the Bill to the House.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton):

Before I call the shadow Secretary of State, let me say that I am sure that colleagues will be aware that there are many people who wish to speak in the debate on this extremely important Bill. In order to avoid a time limit, I encourage Back-Bench colleagues to keep their remarks to about 10 minutes.

2.6 pm

Peter Kyle (Hove) (Lab): I am grateful to the Secretary of State for setting out the measures in the Bill. Since the Bill was deemed incoming, I have taken the approach of trying to find common ground, so that we can move forward; the people affected by the subject of this Bill deserve that. I have not at, any point, tried to tribalise or to party politicise the issues here. I wanted to put that on the record now because I will certainly be going on to criticise aspects of the Bill, but that is not what I set out to do in the first place. I thank the Secretary of State’s officials for briefing me on the contents of the Bill last week. Unfortunately, that was before the Bill was published, but I am grateful none the less.

We all agree in this House that we must find a way to resolve the outstanding legacy issues from the troubles. The conflict touched every family in Northern Ireland: more than 300,000 people lost their lives and tens of thousands were injured, and that was among a population of fewer than 2 million. A thousand of those killed were members of the security forces. Terrorist atrocities were also committed in British cities from Birmingham to Brighton.

Johnny Mercer (Plymouth, Moor View) (Con): The hon. Gentleman, for whom I have huge respect, has just misspoken. Three hundred thousand people did not die in the troubles. Three hundred thousand veterans served in Northern Ireland, and 3,500 people lost their lives. I am sure that he will welcome the chance to correct the record on that.

Peter Kyle: I am extremely grateful to the hon. Gentleman for correcting the record. Three thousand and more lost their lives in the troubles, and I apologise to the House for getting a zero in the wrong place.

The Belfast/Good Friday agreement sets out that

“we must never forget those that have died or been injured and their families”.

In truth, though, victims and their families were left without a clear path to address their personal tragedies through the peace process. The Good Friday agreement was a staggering achievement, but is ambiguous as to how to eventually address the killings committed during the troubles. While this was necessary to reach an agreement to end the conflict, it left victims’ families wanting. In 2015, following years of failings, the five

main political parties in Northern Ireland and the UK and Irish Governments signed the Stormont House agreement. The result of months of painstaking negotiations, it provided a comprehensive way forward on dealing with the past. Its centrepiece was the establishment of an independent Historical Investigations Unit, with full policing powers to work through, in chronological order, outstanding troubles-related cases, and a separate independent commission on information retrieval. Despite Stormont securing the support of all elected parties at the time in Northern Ireland, regrettably this Bill jettisons that approach.

Northern Ireland deserves to look forward to a bright future, rather than living in the shadow of its past. That can only happen when those who have lost loved ones no longer have to spend countless hours searching for answers. The UK Government have a critical role to play in building a brighter future by building trust and acting as an honest broker to find a way forward.

Unfortunately, the Bill does not provide victims’ families with a process they can trust. In fact, it deepens their pain and trauma. Its provisions would set up a new body, the independent commission for reconciliation and information recovery, to provide answers to families about what happened to their loved ones during the troubles. All criminal investigations, all inquests that are not at the very advanced stage and all civil actions would cease and be folded into the new body.

The Government argue that, due to the passage of time, we have a duty to empower that body to grant immunity to killers in return for information they have about their actions. There is still the possibility of prosecution for those who fail to provide an account of their actions to the commission, but the bar for immunity is set so low that it is hard to see prosecutions happening in practice. The commission must grant immunity if three conditions are met: the perpetrator requests immunity, they then give an account to the body that is true to the best of their knowledge and belief, and the conduct they describe would otherwise have exposed them to criminal investigation or prosecution.

I must be blunt. Such a low bar for attaining immunity is offensive to the families who have lost loved ones and, in many cases, waited decades for answers. I will illustrate that concern with an example. Raymond McCord was murdered by loyalist paramilitaries in November 1997. His father joins us today in the Public Gallery. There was no coroner’s inquest into Raymond’s murder, no police investigation that involved or reported to his family and no public inquiry. Raymond Sr. went through two court cases to have information regarding his son’s death released. He won, but when he received all the information, he found out that of 303 pages, 296 were redacted. At the same time, his son’s gravestone has been repeatedly vandalised, an action clearly intended to deepen the pain felt by his family.

Across the House, we must consider today whether this Bill offers Raymond’s family as many new rights as it does his murderer. I do not believe it does. Under this legislation, Raymond’s murderer has the right to come forward and, should he tell a basic but realistic account of his crime, he must be given immunity from prosecution—an immunity that stands even if in future that account is proved to be false. He could even go on to write a book about it, and wave at the victims’ families in the street as they pass.

Those are the rights given to Raymond's murderer, yet nothing in the Bill says that the independent commission must listen to victims, communicate with them or take measures to protect their dignity and health. Those seem pretty basic rights to me, but even that low threshold is not met. The situation I have outlined is not hypothetical. These are real fears that are frequently felt by victims and that cause crippling anxiety. We must be on their side.

Just as disturbingly, the Bill does not prohibit anyone who has committed or covered up acts of sexual violence during the conflict from seeking immunity. Máiría Cahill, who was the victim of years of sexual abuse at the hands of the IRA, has said:

"This bill is, quite simply, disgraceful. Government say they take sexual violence seriously. Yet they are prepared to grant amnesty to those accused of conflict related sexual offences either in NI or England. It is an affront to victims, to justice and is gross hypocrisy."

Let us be clear what we are talking about here. This Bill could well lead to someone who has committed rape being given immunity from prosecution. None of us can even imagine the impact that such a thing would have on the victim.

I will return to that theme but, before I do, I will talk about how the Government have approached the Bill in the wider sense—namely, the staggering lack of consultation and care given to this incredibly sensitive issue in the way this new Bill was conceived, drafted and is now being legislated. For reference, in 2018 the Government ran a public consultation on the previous legacy proposals, which ran for 21 weeks and received 17,000 responses. That was the right way to handle the issue.

I agree with the words of this Government in 2018:

"In order to build consensus on workable proposals that have widespread support we must listen to the concerns of victims, survivors and other interested parties."

In comparison, the process for this Bill, with its unprecedented policy of granting immunity for murder and serious violence, has lacked any meaningful consultation at all. The Government published the Bill a mere seven days ago. It is 90 pages long and, in the words of one victims' group, "heavily legal". Yet, regrettably, the Northern Ireland Office refused to give detailed briefings to victims' groups until today's debate. That has caused not only hurt but confusion about what the Bill is offering. It damages rather than builds trust.

There seems to be a dismissive attitude towards prelegislative scrutiny of the Bill. Let us take the Northern Ireland Human Rights Commission, which was set up by the Belfast/Good Friday agreement specifically to safeguard rights in Northern Ireland. Its advice on the Bill was not asked for, and yesterday it announced that it appears incompatible with our human rights commitments. It read the Bill at the same time last week that the rest of us did. Had it been consulted before—that is, after all, part of the purpose for which it was founded—the Bill could have avoided some of the stinging criticism it is currently receiving.

Similarly, the Bill will have material consequences for the Police Service of Northern Ireland and the judiciary. Both currently manage legacy cases, yet neither seems to have been given advance notice that the Government were planning to strip them of their role with almost immediate effect. The Irish Government, our partners in the peace process and co-signatories to the Belfast/Good

Friday agreement, did not see the Bill until it was published. They have now said they cannot support it in its current form.

With the greatest of respect to the Secretary of State, consistent polling has shown that the UK Government are now the least trusted actor in Northern Ireland. Rushing these proposals into Parliament here in Westminster has already damaged the reconciliation we are all aiming for. I understand that the Secretary of State is trying his best to find a way forward, but any proposal to deal with legacy must have victims and communities in Northern Ireland at its heart.

Katherine Fletcher (South Ribble) (Con): I want to build on the point my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) made earlier. The South African Truth and Reconciliation Commission dealt with many such concerns and fears; I used to live in the country and I have heard first-hand testimony from people who participated in it. What struck me as incredibly important in that set-up was the leadership and sponsorship of some of the greats such as Mandela, Tutu and other members of the community. I have listened carefully to what the shadow Secretary of State is saying and it feels very down in the detail, but can he encourage leaders in the different communities to give the Bill that sponsorship to get people to give it a chance? The truth is a nebulous as well as a legal concept.

Peter Kyle: I am grateful for the intervention. I have some understanding of the Truth and Reconciliation Commission; I was studying for my doctorate in South Africa while it was running and I followed it very closely.

The figures who the hon. Lady mentioned were not just involved in running the commission; they were all also involved in conceiving it. The figures who lead communities in Northern Ireland—some in the House today, some not—were not involved in this Bill or consulted for it. The only process that did that was the Stormont House agreement, which has been jettisoned by the current approach. Sadly, the key learnings from it have not made it into the current Bill.

I understand the point that the hon. Lady is making about moral and political leadership. In South Africa, there was a huge, concerted effort to bring forward support from all communities, but what we are discussing is coming from Westminster into Northern Ireland. The provisions should be birthed in Northern Ireland and come through to Westminster.

Stuart Anderson (Wolverhampton South West) (Con): I do not want to pre-empt the rest of the hon. Gentleman's speech—it is vital that victims groups should be at the heart of this process. I think he is going to come on to this, but I am just checking: what about the veterans? They play a key part and should surely be at the heart as well.

Peter Kyle: I am extremely grateful to the hon. Gentleman, who is indeed pre-empting the remaining parts of my speech, which I will get on to as quickly as I can. He is free to catch my eye at that point, as he raises an incredibly important point.

What we needed from the Government in the run-up to this process was empathy. That requires listening and real care in the face of the most terrible tragedies. Let us

[Peter Kyle]

take the case of John Molloy. John was walking home in north Belfast in 1996 when he was stabbed to death in a brutal sectarian attack. He was just 18 years old. John's mother Linda wanted me to put her response to the Bill on the record:

"Why is John's sectarian murder in Belfast different from a racially motivated murder in London? If this legislation gets through whoever murdered John could simply get away with it. It is just wrong that perpetrators will be able to get on with their lives officially, given amnesty by the state, while we are left to cope with the devastation. We brought our children up to believe in law and order and it is so wrong that the rule of law can be overridden in this way. The hurt never goes away."

Jerome Mayhew (Broadland) (Con): Does the hon. Gentleman agree that justice is just a word if it does not come to fruition? The current system is not leading to successful claims for the overwhelming majority of those affected. Surely there has to come a time when we have to try a better way. More than 50 years on from the start of the troubles, surely that time is now.

Peter Kyle: I am grateful for the hon. Gentleman's intervention. We are not talking about whether we want to move forward or not; the important thing is that we move forward in the right way.

Investigations are absolutely central to families being able to move forward and to the ability to deliver justice. The hon. Gentleman will notice from the Bill, which I am sure he has read in great detail, that the word "investigations" is mostly replaced by "review". The emphasis that has proven successful in the past—from the Stormont agreement right through to the ongoing Kenova investigations—has provided, in limited circumstances, the kind of reconciliation, truth and justice that victims have requested. That is where we believe the future should be.

Currently, there are 32 files with the prosecution service of Northern Ireland as a result of the Kenova investigations. Not one has been picked up, because the prosecution service does not have the resources. There has been progress, and I am sure that the justice that we are talking about could be dispensed if the prosecution service of Northern Ireland had the right resources.

Dr Murrison: I do not necessarily disagree with the hon. Gentleman's line of reasoning at all, but on immunity, does he not accept that that ship sailed in 1998—a concept, of course, that his party needs to take quite a lot of responsibility for? He says that justice is being denied, and I have some sympathy with that, but does he accept that as a result there has been 20 years-plus of peace in Northern Ireland?

Peter Kyle: Since the signing of the Belfast/Good Friday agreement there have been long periods in which politics has been functional, and there has been huge progress that had been inconceivable before. Its achievement was totemic. As I have already said in this speech, the commitments and aspirations in the Good Friday agreement with regard to victims have not been realised and we need to make effort. We are losing the generation affected by these issues, as has been said. We need to get on with this, but we need to get it right.

Sir Robert Neill: I appreciate the spirit of what the hon. Gentleman is seeking to achieve, but may I put this to him? It follows from my earlier intervention. I get the sense that he is suggesting that we return, where possible, to allowing a normal criminal justice process to take its course. Is not the difficulty that once immunities have been given, for whatever reason, there will have been a departure from the norms in any event? We are not, therefore, in exactly the same territory as we would be in relation to other offences in other places. That being the case, what alternative do the Opposition posit as a solution?

Peter Kyle: The alternative, clearly, was in the Stormont House agreement. Plus there is the additional learning from Jon Boutcher's work on the Kenova investigations and inquiries, and the real desire among victims to make progress.

Of course victims are realistic about the chances of prosecution in some cases—what a lot of them want is often quite different—but the great thing that I have seen from talking to families who have been subject to investigations by Jon Boutcher under the Kenova system has been how it has been tailored and sensitive to the needs of victims, while being realistic about the prospects of prosecution.

Scott Benton (Blackpool South) (Con) *rose*—

Peter Kyle: I am going to make some progress, as others want to get in; I am aware of your desire for us to get on, Madam Deputy Speaker.

To proceed with this Bill, we must be able to answer Linda's question, put in the quote I read a moment ago, and be sure that we are promoting reconciliation and not further division. Quite simply, the test for a way forward is that it must provide more benefits for victims than for those who committed acts of terror. In so doing, it would also offer greater fairness to our armed forces and veterans.

Last year, the Government suggested a blanket amnesty for everyone involved in the troubles. The vast majority of those who benefited would have been republican or loyalist paramilitaries, but it would also have stopped any further prosecutions of veterans of our armed forces. The origins of this proposal can be found in the Conservative manifesto of 2019, which promised:

"We will continue to seek better ways of dealing with legacy issues that provide better outcomes for victims and survivors and do more to give veterans the protections they deserve."

The vast majority of those who served in our armed forces in Northern Ireland should feel proud of their service. Over 250,000 personnel were involved in Operation Banner and 722 were killed by terrorist actions. We cannot forget, and we remain grateful for their service, but it is clear that not every action met the standards that we set: a very small minority did not.

From a quarter of a million personnel, the Director of Public Prosecutions in Northern Ireland has brought cases against six former military personnel for offences committed during the troubles. The vast majority of our veterans deserve the chance to talk about their service with pride. They do not need to be granted immunity; in fact, the very assumption that they might need it creates a toxic moral equivalence between military service and acts of terror. What has caused so much

anger among the Northern Ireland veterans community is the idea that there is no fairness in who is being investigated. The Bill fails to provide a fair and balanced system for veterans that recognises their service, addresses reinvestigations and provides welfare support. Delivering a Bill that provides more benefit to terrorists than veterans or victims is not fair to anyone.

James Sunderland (Bracknell) (Con): The shadow Minister has spent some time admiring the problem, but I believe he is very light on the solution. What message might he have for our security forces, our armed forces and our veterans if his party votes today against this Bill?

Peter Kyle: My party will be voting against this Bill today because of the equivalence it makes between people who served in the armed forces and those who committed acts of terror and because of the incredibly low threshold. We should remember that 722 service people lost their lives by acts of terror, and the people who committed those acts—against our armed forces—could get immunity from prosecution with the very lowest possible threshold. That is what we will be voting against today. A better process would start by listening, rather than forcing solutions on people.

Several hon. Members *rose*—

Peter Kyle: I will give way to the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith).

Sir Iain Duncan Smith: I served in Northern Ireland, and I do not feel in any degree that there was equivalence between what I was doing and what terrorists were doing. Can I ask the hon. Gentleman to try to clarify a point for me? He has spoken about some victims and quoted them, and in particular one who wanted to know the balance of what makes this work or not work. He talked about there being this equivalence with terrorists. Is the balance about punishment; is it about investigation, or is it about knowledge? Where does the balance in this lie for him? This is important. Instead of dancing around what is complained about, where does he think the balance lies for somebody who is a victim?

Peter Kyle: I have been very clear: I want to make sure that the rights of victims and veterans are equal to the rights of terrorists and people who committed crime in the era of the troubles. This Bill does not achieve that. Proper scrutiny and proper preparation would have delivered a Bill that did.

Scott Benton *rose*—

Peter Kyle: I am going to make progress. The provisions of this Bill will also have the independent commission carrying out so-called reviews into deaths and serious injury. The Bill provides that the independent commission officers can be designated as having police powers. However, it is unclear when or how such powers are to be exercised, nor is it clear whether the reviews that the independent commission carries out will in fact uncover any new information. In the additional notes to the Bill, the Government set out their view that

“for the ICRIR to conduct successful information recovery investigations, which will in turn significantly aid reconciliation in the long term, it is essential for the possibility of a prosecution outcome to be restricted to those who fail to participate effectively in the truth recovery process.”

We have concerns about how much truth will come from this immunity scheme. Immunity will be retained even in circumstances where the account given is deemed as being truthful by the perpetrator themselves, but is subsequently found not to be in accordance with the accepted historical account. The immunity requests panel is also not obliged to seek information from anyone other than the person coming forward in order to verify the truth of the perpetrator's account. It comes back to the point I made earlier about the lack of investigatory work going on beforehand—it should be leading the process.

I again put on record how this Bill is affecting victims whose loved ones were killed by terrorists. Jean Caldwell's husband Cecil was one of eight workmen killed by an IRA landmine in Teebane in January 1992. Today, Jean says:

“I want justice. All this talk of amnesty has brought it all back to the fore again. What will they”—

the IRA bombers—

“tell that will be of any benefit to me? It's so deeply unfair. My blood runs cold. There is no ‘amnesty’ for victims”.

Scott Benton: In his opening remarks, the hon. Gentleman suggested that rape or sexual offences committed in conflict during the troubles would be subject to immunity. That is not the case at all. Only offences relating to a death or a serious injury will be eligible for immunity. Is he happy to correct the record?

Peter Kyle: I think the hon. Gentleman needs to read the Bill for himself. There are circumstances in which people have committed rape and other crimes and the whole lot would be subject to immunity. These are things that we have taken advice on before saying them here in the Commons today and that are now accepted by a great number of people with a prosecutorial background who have studied this area. They are absolutely clear that this Bill does not contain the right measures. At no point in the Bill is there an exemption for people who have committed sexual crimes, and that is something the hon. Gentleman should look for. If he can point to a line in this Bill where sexual offences and rape are excluded from immunity, I look forward to seeing it.

The Bill also contains the laudable aims of establishing oral history, memorialisation and academic research on the conflict, but it is the Secretary of State who will decide the designated persons to take forward the programme. There is also a more fundamental issue that with such widespread opposition to this Bill from victims and survivors, there is a danger they will refuse to participate in any historical projects that come from it.

Alexander Stafford (Rother Valley) (Con): Will the hon. Gentleman give way?

Peter Kyle: I will make a bit of progress. On these Benches, we wanted to work with the Government to find a way forward on legacy issues, but the Government's approach is to bulldoze their plans through without addressing the needs of victims and survivors. Alternative options, such as Operation Kenova, have shown that there is a way to handle legacy issues in a sensitive manner that delivers for victims, the security forces and wider society. The Government have the numbers to get this Bill through today, but I urge Ministers to reflect on

[Peter Kyle]

what has been and will be said in the Chamber today and the reaction that this Bill has received on the island of Ireland. Reconciliation is difficult, and as the peace process has shown us, it requires compromise. This Bill is uncompromising and therefore has lost the legitimacy that it could have had.

2.37 pm

Simon Hoare (North Dorset) (Con): Just the first two Front-Bench speeches and the interventions from Members across the House clearly show the thorniness of these issues, their long standing, and their polarising nature in views, interpretation and, indeed, in coming up with solutions. At the start, I thank my right hon. Friends the Secretary of State and the Minister of State, and the Secretary of State's office, for their courtesy and engagement with me as these proposals have come forward.

Because the Bill concerns those issues, it is uncomfortable, and it is tricky politics. We would all like—I agree with many—the majesty of the law to run its course in the normal ways we all understand, but that has not happened up until now, and evidence that my Committee has taken from the PSNI and others clearly indicates that there is simply a lack of investigatory resource and court time to deal with all these cases in a way that could be reasonably defined as timely.

When we use the phrase “the troubles”—it is one that we all use—is it not just too euphemistic? It is the sort of wording we might use for a slightly embarrassing medical ailment, but let us remind ourselves that it was blood and it was a period of fear, of people being maimed and of death. It was horror, so we need to deal with these things in a serious way.

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. The Government need to be clear, and the House needs to be assured, that the proposals before us are fully article 2 compliant—that is a key test for anybody, irrespective of which side of the argument they are coming from and their own personal experience. Without setting a precedent, I urge those on the Treasury Bench to give active consideration to putting Treasury counsel's advice on this matter in the Library of the House of Commons so that we can all be persuaded, if on no other point than that.

Mr John Baron (Basildon and Billericay) (Con): Briefly, my hon. Friend is right. Many Conservative Members served in Northern Ireland during the troubles. He will accept that we in this place tend to underestimate the pain caused for many families by not knowing what happened to their relatives, the victims—some of whom disappeared altogether. We should also always remember that there has been a dearth of prosecutions since the Good Friday agreement, and it is not as though we have made great strides on that. We should balance those two factors carefully in the consideration of the Bill.

Simon Hoare: My hon. Friend is right. It is a sadness that there has been that dearth, which has led to huge frustration and has compounded the agony. He is also right to remind the House that each individual victim or survivor or victim's family will respond to these things

in different ways and will have different requirements from the process. We should be very careful not to resort to language such as, “This now delivers closure,” or, “This draws a line.” It will deliver closure, answer questions or draw lines only when that person is satisfied, and there will be myriad ways in which people will be looking for that satisfaction.

The Government are to be congratulated on the tangible policy evolution since what many of us recognise was the rather ill-judged, and certainly wrongly toned, written ministerial statement of March 2020. The Secretary of State and the Government are to be congratulated on facing into this issue. If there were easy solutions, by God they would have been delivered by now. If we want this to work, we have to make sure that this too-long-neglected issue is dealt with, and it has to be through this Bill. So much time has been spent on it and so many years have been spent discussing these issues that I cannot envisage—I could be wrong; I often am—

Mr Gregory Campbell: Hear, hear!

Simon Hoare: There was no need for such an endorsement; it is nice to see the collegiate nature of the Select Committee burgeoning on the Floor of the House.

As I was saying, I cannot envisage this or any other Government, or any other Secretary of State, devoting future time and energy to trying to resolve these issues, so I am tempted to say that although the Bill needs some amendment, it will be this or it will be nothing at all.

As we know, the politics of Northern Ireland can be different and difficult and testing. I am inclined to think—this may be a strange way of looking at it through the wrong end of the telescope—that it is possibly a good thing that no one and no constituency of interest in Northern Ireland is claiming absolute victory or absolute defeat. To me, that would have suggested that the Government had got it wrong. There is within the Bill the potential for something for everybody who has a legitimate interest in this issue.

I will turn to a couple of specific points. On the programme motion, eight hours for Committee, albeit on the Floor of the House, and one hour, as I understand it, for Third Reading is simply not enough. Physically, this is not a huge Bill in terms of the number of clauses, but it is a mammoth Bill in terms of history and issues. A sceptical Northern Irish audience needs to be given full comfort that full scrutiny will be given to the Bill and the proposed amendments to it. I suggest to the business managers—such as the Lord Commissioner of Her Majesty's Treasury, who is on the Treasury Bench—as much as to the Secretary of State that the Bill should be given at least four days for Committee and half a day for Third Reading. That would give comfort to those people who want to make sure that the solution is properly scrutinised.

My Committee will be looking at the Bill, so I do not want to prejudice its deliberation, but I will make a few observatory suggestions. The Secretary of State appoints to the independent commission for reconciliation and information recovery. I would like to see a parliamentary vote affirming those appointments, which would give the body extra legitimacy. On the commissioners, I would certainly like a seat to be reserved for an international participant; I agree with my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), the

Chair of the Justice Committee. He referred to South Africa, but there are lots of people with United Nations experience. Again, they will add credibility, independence, a new voice and a perspective that should give extra help to those people who are looking to get the proposals over the line and to invest their faith in the commission. There also needs to be an oversight panel to the commission, as we have with Kenova, which could include groups representing victims, the Veterans Commissioner and others.

We need to accept, with regret—I am perfectly honest about that—that Stormont House is dead. We can flog it as much as we like, but it is a horse that will not get out of the stable. It is gone. It is that ex-parrot. That is unfortunate, but it is true. The need for coalition building remains alive, however, and the need for the Government to take people with them is as strong as ever.

Clearly, as the hon. Member for North Antrim (Ian Paisley) said, the Bill will work better if the Republic is engaged and on side. I agree with him that north and south are two sides of the same coin on this, which have equal weight and responsibility to bring forward solutions that are binding and that can command support and confidence. I hope that the Irish Government will try to meet in the middle, and I would urge them to do so, to try to build that consensus and that joint approach.

Sir Robert Neill: It is a quick one. Building on that point, does my hon. Friend agree that the importance of our relationship with the Republic reinforces the importance of the quality and international nature of the commission's membership? Given that the Republic adheres to the same common law jurisdictions and has the same approach to criminal jurisprudence as we do, that would surely be a means of rebuilding trust in that regard.

Simon Hoare: I agree fundamentally with my hon. Friend. I urge the Secretary of State to continue his conversations with Minister Coveney. It might be a step in the right direction to say that one of the commissioners could or should be a nominee of the Irish Government. I know that that would be contentious for some, but in trying to build that consensus and share the obligation, it may—there is no guarantee—pay a dividend.

Ian Paisley: Can the hon. Gentleman reflect on what the Secretary of State said at the Dispatch Box? He said that, more than a year ago, the Republic of Ireland indicated that it would bring forward something, but it has brought forward absolutely nothing. I do not think that augurs well; I think that it will turn a blind eye to the issue for as long as possible and do nothing, because if the veil is lifted on its legacy of the troubles, it will not be a pretty sight.

Simon Hoare: Well, as my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois), who is no longer in his place, referenced, it has taken two general elections and four years to bring this Bill to fruition, so I am not sure that we are in a position to lecture, or are entirely innocent on that point. As we all know, however, heaven rejoiceth when a sinner repenteth, and it is not too late for both sides to build that consensus and to bring forward either conjoined proposals or separate but mutually corresponding ones. That would be a good thing.

On clause 5, which relates to full disclosure, subsection (1) is absolutely right that

“A relevant authority must make available”

the items that are listed, but subsection (2) says that

“A relevant authority may also make available”,

which depends on interpretation. The relevant authority could have some information that it thinks might be important and of relevance to an inquiry, but that has not been specifically asked for and that might be unhelpful to that authority, so it might hold it back. I would like to see the compelling nature of “must” in subsections (1) and (2), and I am certain that amendments will be tabled to address that.

The Bill needs to give further thought to how the PSNI interlinks with the commission. I hope that the PSNI will allocate the about £30 million that it spends currently on legacy purposes to invest in providing resource and support to the new process.

In summary, this Bill is not perfect.

Sir Mike Penning (Hemel Hempstead) (Con): I have listened intently to my hon. Friend the Chair of the Select Committee and I do not think that he has really mentioned veterans much, if at all. As 15 May was the anniversary of Captain Robert Nairac's death at the hands of the IRA, perhaps—I know other Members present also served in Northern Ireland—we should have more talk about veterans as well as the victims. Both are equally important.

Simon Hoare: My right hon. Friend is probably right, but of course there were many veterans who were also victims, as were their families, because, as we have heard with the figures, there are those who died, or were injured or maimed. We will not help this debate—can I just say this gently to my right hon. Friend?—if we characterise it as one side being more important than the other—

Sir Mike Penning: I wasn't doing that.

Simon Hoare: I know he is not doing that—

Sir Mike Penning: Well, don't put words in my mouth then.

Simon Hoare: And I am not putting words into his mouth. I did reference the fact that the Veterans Commissioner could be on the observatory panel and the advisory panel, or scrutiny panel, to the commission. That would be important, but it is important, I suggest—and I know that he knows this—to get that absolute balance right.

There is a difference in view among the veterans community. Some have been arguing for a blanket clearance from day one. Others have told the Committee that they do not want to see that, because they want to make sure that those who did wrong are held to account—of course there are some who did wrong; the terrorists did everything wrong, but some of the police did wrong and some of the military did wrong—and they do not want everybody to be tarred with the same brush. So there is a difference of view in the veterans community on how we deal with this. I think the Bill broadly gets it right by making sure that one side is not favoured over the other.

[Simon Hoare]

As I say, the Bill is not perfect, but it does create a framework that can and could help. We do need more time to consider it in this place, which is why I make the plea for revision of the programme motion. After all these years, something needs to be done to try to ensure that progress is made. This is the Bill to do it. We need to be driven, I suggest, by that imperative. If anything can unite the House in this debate, it might be this point: what we should be seeking to achieve in this Bill is to ensure that future generations are not infected by the poison of this too long neglected and running sore.

Madam Deputy Speaker (Dame Eleanor Laing): I call the SNP spokesman.

2.52 pm

Richard Thomson (Gordon) (SNP): Could I begin by thanking the Minister of State, the right hon. Member for Bournemouth West (Conor Burns), in particular for the time he took to brief me on the contents of the Bill? Allow me to say that I very much appreciate what has been attempted here and the sentiment behind it. We certainly look to the memory of all those who lost their lives during the troubles, to the tens of thousands of those who were injured and to the families, relatives and friends to make sure that we approach this in the right way to get the right outcomes.

On 14 July 2021, the Secretary of State addressed the House on the legacy of Northern Ireland's past, and the view that he then expressed clearly was that the current system for dealing with the legacy of the troubles was "not working". The paper that was published that day achieved something quite unique, I think, in Northern Irish politics in that it united every single spectrum of opinion in opposition to what was being proposed. We have yet to hear the substantive contributions of the Members who are elected to this place from constituencies in Northern Ireland who take their seats, but I suspect, notwithstanding the changes that have been made in approaches by the Government since then, that the Government may be about to achieve the same feat once again.

Dr Julian Lewis: Given the length of time that this has all gone on, is it not quite clear that there is no way that there is a single solution around which consensus can be built? Therefore, the Government are left with two choices: either do nothing and carry on as has been happening, or come forward with the best solution they can come up with, in the full knowledge that everybody who has been fighting among themselves without reaching a solution will find something to object to in it. The fact that they are all objecting to it by no means means that this is wrong; it is the only way forward, other than doing nothing.

Richard Thomson: I thank the right hon. Member for his intervention. He is certainly correct that this is a very difficult and intractable set of issues that need to be navigated through, but if he really imagines that by introducing this Bill the Government are in some way cutting the Gordian knot, he is very sadly mistaken. I do not think that that kind of approach is the one that could yield the greatest amount of fruit. I do not believe that it needed to be the case that this was the outcome.

Stormont House was not agreed by everybody, but nevertheless it did provide a platform for a potential route forward. By failing to try to establish and build on what consensus there was in that, we are highly unlikely to reveal truth satisfactorily and we are certainly not creating the conditions whereby reconciliation might be achieved.

It is fair to say—certainly from the representations that I have received, particularly over the last 48 to 72 hours, from groups in civil society in Northern Ireland and from those who take an interest in the law and its application—that confidence in this process and this legislation is low. It is not being helped by the fact that we are here to discuss the Bill on Second Reading just days after it was announced formally in the Queen's Speech. To only have two days in Committee here is, I think, thoroughly inadequate for the parliamentary scrutiny that a Bill of this kind deserves. It certainly does not pay the respect that I believe is due to victims groups and those with a stake in the outcomes here, in and across the island of Ireland and in veterans communities, to try to get us to a place of closer consensus.

In responding to the statement on 14 July, I was clear that I felt Ministers needed to think again about introducing any statutes of limitations or effective amnesties. I was also clear that, whatever proposals were eventually brought to the House, where independent prosecutors considered that there was sufficiency of evidence, a likelihood of a successful conviction and, most important of all, it was in the public interest to do so, they would still be able to bring those prosecutions. It is not simply about achieving truth and perhaps closure, and it is not necessarily about a prosecution resulting in a conviction; that investigative process and that testing of facts in a court of law, but even just simply the investigative process undertaken by the authorities, can in and of itself help to provide some of the closure that is required by the families.

Alexander Stafford: The hon. Gentleman is making an interesting point about closure. I do not think that so far in this debate there has been enough conversation or debate about closure. Convictions are important, but we also need to make sure that the families of victims have the facts to bring closure—whether that is where the bodies of the disappeared are buried, how their loved ones were murdered, or if they had a glass of water before they were executed. Does he not agree that the Bill will make it more likely that some of these terrorists and people will come forward to give those details? It tries to bring closure for victims' families.

Richard Thomson: I thank the hon. Member for that intervention. No, I do not agree with that and I will go on to explain in a bit more detail why.

As I have said, the Bill would clearly make that kind of continuation of the judicial process and the process of investigation impossible. So the question that I have been left wrestling with is whether the approach in the Bill can work and, if it can, whether the potential benefits of doing that outweigh the very negative and real consequences of bypassing the normal processes of the rule of law. I have to say that I have reached the conclusion, and my group has reached the conclusion, that they do not.

We have very deep concerns about the manner in which somebody might be granted immunity. There is a real danger that the process set out in the Bill as it

stands actually puts more power in the hands of the perpetrators of past crimes or atrocities than it does in the victims'. The bar, as has been set out by the Labour shadow Secretary of State, is extraordinarily low in this respect. Simply to say that to give somebody immunity they have to request it but that what they then say has to be true to the best of their knowledge is not the sort of standard we should be hoping for in a completely open and accountable process of reconciliation and truth telling, because it means that there is absolutely no compulsion in there to tell the truth, the whole truth and nothing but the truth. Even if we did wish to remove the process from a purely judicial setting, surely the very least we should expect from somebody seeking amnesty for their crimes is to tell the truth, the whole truth and nothing but the truth before such a panel or tribunal.

I will be interested to hear what the Minister of State has to say, when he sums up, about the exemptions that are to be granted on the grounds of national security and what the independent commission should or should not do. Clearly, we would not want the commission to do anything that would imperil national security, but we can all see the potential conflict between revealing information that is held on file and the use of the national security clause to draw a veil over it. The process of reconciliation will require some hard truths, not just from the UK Government but, I suspect, from the records of the Government of the Irish Republic. Having that prohibition in the Bill potentially represents a further tilting of the balance away from revealing the truth and delivering justice.

One of the most pernicious aspects of the Bill is the way in which it seeks almost to bring down the shutters on families who have already engaged in inquiries or in the process preparatory to inquiries. To remove the rights of individuals to pursue a criminal or civil remedy appears to me to be in clear breach of article 2 of the European convention on human rights, and therefore aspects of the Good Friday agreement, as the convention is hardwired into it.

My reasons for opposing the Bill are ones of principle, articulated by those with a care for the legal and constitutional implications of what is before us, as well as the many strong and clear voices of those who have been affected by the troubles. In the light of those real concerns, I remain unpersuaded that the goal of truth and reconciliation will be more likely to be achieved by this process, or that it justifies setting aside the norms of the rule of law and the fundamental rights of the individual to seek recourse or to uphold their rights through the law.

I am also bound to observe the dismay of the Irish Government at the proposals. At a time when open dialogue and good will are in greater demand than they perhaps have ever been as far as the present UK Government are concerned, it is a missed opportunity to go about this process as they have, rather than try to find a way in which both Governments' sets of records could be made available and open up a process applicable to all victims on both sides of the border.

Operation Kenova shows what can be done when police investigations into historical inquiries are allowed to take place. It is not good enough to point to the backlog in the PSNI historical inquiry unit as a reason for introducing the processes in the Bill. That backlog is

an argument for adequately resourcing the PSNI so that the historical inquiry unit can complete the work it was tasked to do.

I do not think that reconciliation is something that can ever be imposed. It is something that has to be achieved. The legislation is being imposed, to the great distress of many, and that is unnecessary. The Bill in its current form is not one that my party can support.

3.4 pm

Julian Smith (Skipton and Ripon) (Con): The issues that the Bill seeks to address are some of the most sensitive and challenging in our nation's history. Drawing a line under the past in Northern Ireland is a challenge successive Governments here have sought to address. As we have heard, recent work has been based on agreement between the UK and Irish Governments and the Northern Ireland parties, with a commitment that law and justice matters are devolved and dealt with locally. That was confirmed by the Stormont House agreement in 2014, which almost all Northern Ireland parties signed up to along with the UK and Irish Governments. The Bill, driven from Westminster, overrides both the policy of Stormont House and the focus on consent present in that international agreement. I am deeply uncomfortable about voting for a Bill that will formalise immunity for those who have committed murder and other crimes, but I do acknowledge that none of the range of policy options for the Government is straightforward.

I want to focus my remarks on the fact that with the substantial policy shift that has occurred since Stormont House, now crystallised by the Bill, victims and survivors are deeply concerned that not only will they have to deal with accepting amnesties, but they will have to accept less rigorous reviews of their cases, rather than robust, evidence-based judicial investigations. Throughout the Bill, there are references to reviews, not investigations. The victims point to the fact that the powers in the Bill to compel testimony are weak; that there is a focus on existing evidence, rather than exhaustively looking for new evidence; and that prior investigations cannot be reconsidered. They are extremely wary that the UK Government will be the arbiter of every aspect of the process, from the choice of commissioners to what Government information is shared with the new body.

When I speak to victims, families and survivors, there is a consistent theme—a burning desire to know what happened to their loved ones. Take Shauna, who was just 10 years of age when her mother Caroline Moreland was abducted by the IRA and held for 15 days before being shot dead at the border, just weeks before the IRA ceasefire in 1994.

Shauna said:

“Without this investigation we would never have got answers. Operation Kenova has been important as someone else thought my mum's life was worth something. Everyone has the right to a thorough investigation”.

Or take Kathleen Gillespie's husband Patsy, who worked as a chef in an Army base in the city of Derry. On 24 October 1990 Patsy, who was 42 years of age, was abducted by the IRA from his family home. Patsy was chained to a lorry containing a large bomb and forced to drive to an Army checkpoint. He shouted a warning to the soldiers just as the IRA detonated the bomb. It killed Patsy and five young soldiers from the King's Regiment. The IRA opened fire from across the border,

[Julian Smith]

and many soldiers were injured but many saved because of Patsy's warning. Kathleen has never had a full investigation, and she is devastated that the men and women who did this to her husband will walk free.

Many victims feel that they have been hit by a double whammy by the Bill—their route to justice cut off and, at the same time, their route to the truth restricted.

Sir Jeffrey M. Donaldson: I really appreciate the contribution that the former Secretary of State is making, and I know that he is deeply invested in finding solutions from his time in Northern Ireland. We appreciate the work that he has done. I served in the armed forces and lost comrades who were murdered by the IRA, so does he agree that this issue is not simply black and white? As president of the regimental association of the Ulster Defence Regiment, I speak to many UDR widows who are crying out for justice and want the opportunity to have the murders of their loved ones investigated in an article 2-compliant investigation.

Julian Smith: I agree with my right hon. Friend's point. The widows of RUC members, and other victims, are at the centre of our thoughts as we debate the Bill today.

Lawyers, victims' groups, Liberty, Amnesty International, the Northern Ireland Human Rights Commission and experts at Queen's University also fear that the proposals will not meet the requirements under article 2 of ECHR and will breach both the UK's international obligations and the Human Rights Act, which requires independent and effective investigations. If those fears are right, the Bill risks leading to ongoing legal challenge and a highly unstable environment for victims, which many argue would be worse than the patchwork system of troubles justice in place in Northern Ireland today. I urge the Government to look again at the independence and investigatory powers of the body and ensure that it can guarantee victims a full, thorough and legally compliant investigation of their case.

The way in which the Bill will shut down civil cases and inquests is also a source of much anger and worry. Civil actions have provided an effective mechanism for victims to obtain discovery and reparations. As recently as 2021, the Ministry of Defence had to pay significant damages with regard to the Miami Showband attack. In 2021, there was a review of inquest cases and a five-year plan for when each case would be heard. Many families now have the commitment from the justice system that their case will proceed. Inquests provide next of kin with substantial disclosure and provide families with information, answers and results that were previously denied. With the Bill, families who have been promised that inquests will take place risk having them thwarted just because of their place in the queue.

Those inquests have been shining a spotlight on new evidence. For example, the long-running inquest into the IRA murder of 10 Protestant civilians at Kingsmill has involved the largest volume of intelligence material disclosed in any inquest that has run in this jurisdiction. We saw recently in the Ballymurphy inquest, completed in July 2021 after 100 days of evidence, that the verdicts and findings of Mrs Justice Keegan were that the 10 victims were entirely innocent and the force used by the British

Army was not justified. It is important to acknowledge that the inquest system has sucked up significant resource, often without conclusions. I urge the Government also to look at that. There must be a fairer way of completing the current work programme and avoiding such an unfair cut-off point.

I return to the shift from the Stormont House agreement to the Bill. Many victims have had their confidence shaken by the lack of support for the proposals from Northern Ireland political parties, Ireland and the US. Policy content aside, key to Stormont House was agreement, buy-in and consent. Consent is vital when dealing with legacy at a practical level for cross-jurisdictional changes that need to be solved and need assistance from Ireland. Consent also has an impact on the ground in Northern Ireland today. The Bill is about the past, but it is also about the present. Paramilitarism is still a key feature of Northern Ireland society, and how issues of the past are dealt with feeds into the groups and organisations that traumatised Northern Ireland society today. Balance and an even hand are vital.

Mr Laurence Robertson (Tewkesbury) (Con): Will my right hon. Friend give way?

Julian Smith: I am sorry; I will not give way.

Above all, consent builds trust, which in turn increases the acknowledgement required for resolution. In 2010, when the right hon. David Cameron made his statement on the Saville enquiry in this place, he spoke about the long commitment and service of those who served in Operation Banner but, at the same time, he acknowledged the wrongs of that day. Bloody Sunday was “unjustified and unjustifiable”. When you stand in the Museum of Free Derry and see a copy of the former Prime Minister's speech in the display cabinet next to the bloodied clothes of those who were killed, and when you hear what it meant to the people in Derry that the UK Government finally apologised, you get a real sense that that particular UK acknowledgement has made a tangible difference to reconciliation. In the brilliant “Derry Girls” finale—I am sure that all of my colleagues watched it on Channel 4 last week—the lead character Erin's monologue on coming of age in Northern Ireland was set to clips of Bloody Sunday and, more importantly, David Cameron's apology. It was a clear, modern reflection of the importance of that acknowledgement of the past.

Victims payment legislation has provided a further form of acknowledgment. When I visited the victims' group WAVE two years ago, I was struck by the significance and appreciation of these acknowledgements to the patient and amazingly resilient victims who had lived with the most horrendous injuries over decades. Some of those whom I met on that day are now dead.

For Northern Ireland to come to terms with its past, there is a need for acknowledgement from all sides: from the IRA for the thousands of murders; from loyalists for the hundreds of killings; from the Irish Government for their role in the troubles; and for the killings and collusion by UK forces. Having spoken to many in Northern Ireland, I genuinely believe that there is the potential for achieving those acknowledgements. Acknowledgements will allow victims and families and Northern Ireland as a whole to come to terms with the past, to deal with the present and to give hope to future generations rather than passing on the pain and hurt of the past.

On investigations and inquests, I therefore urge the Government to pause and to listen to the voices of our valued Irish partners in the GFA, to Northern Ireland parties and to the victims and survivors. I hope, too, that the Government will reflect on how they can reframe the Bill to gain the trust required to help deliver a resolution to this fragile and unique part of our country.

3.16 pm

Tony Lloyd (Rochdale) (Lab): I hope that the remarks made by the right hon. Member for Skipton and Ripon (Julian Smith) will echo not simply around the Chamber but around these islands. The tone that he struck was the one that I wish to see, and I wish—I do not mean this personally—that it were the one coming from the Government. His points about reconciliation are absolutely fundamental. Like many hon. Members, I have met many victims of the violence and the loved ones of those who were killed, and it is hard to listen to victims without recognising their tremendous hurt and how that will continue to be there. They need to go through the knowledge process, which is so fundamental to their own ability not to reconcile—in a way, it is a very difficult thing to lose a loved one—but at least to accept that the state, as the arbiter of these things, has made every conceivable effort to ensure that their pain is recognised and moved through.

I can think of no victims who will be satisfied by the Bill. The Secretary of State cannot say that any of them are in favour of this piece of legislation, nor did he even try to suggest it. Many of the victims would say to me that the two-year limitation of sentences is already a betrayal of what they seek, and I have genuine sympathy with that. We can almost certainly balance that with the fact that the process led to peace. Different people have different views on that, but, nevertheless, even with that two-year sentence limitation, it is not about the magnitude of the sentence; it is about recognition that somebody has been held to account for the crimes that took their loved ones away or changed their individual lives. That is so important.

Do we have a victim-centred process before us? The answer is, simply, no. I really regret that. Yes, it is an improvement on the absolutism of the amnesty that we had before us only a few months ago, but it is only a very limited improvement. In any case, in five years' time, we will have a de facto amnesty. In the short-term, as my hon. Friend the Member for Hove (Peter Kyle) pointed out, because of the very low bar on granting immunity, it is nearly certain that the amnesty will become the de facto process that applies.

I have to say to Conservative Members who campaign for the rights of veterans that it is worth reflecting on the over 700 veterans who died during the conflict, because they, as victims, also have rights. I think the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) made exactly that point about those with whom he had served in the UDR, and we can take that across different parts of our armed forces.

Sir Jeffrey M. Donaldson *indicated assent.*

Tony Lloyd: So there is a genuine issue about victims, but victims who were serving soldiers.

I have to make this point as well. I have listened to this debate over many years. One of the things I find intriguing is that when I talk to former members of the

RUC, the PSNI and the armed forces they will say to me very directly that those who were culpable of criminal acts should be prosecuted, because they offer no credit to those who served under the law and in protection of the people of Northern Ireland. The idea, therefore, that we pit the rights of veterans in some way in opposition to the rights of victims is simply a dangerous fiction and one we have to dispense with. Frankly, that lies very much at the heart of the Bill. The reality is that the Secretary of State has given in to what he perceives to be the demand from his own Back Benchers, but at the expense of the many people who could have been served by a much better Bill. That has to be recognised.

Sir Iain Duncan Smith: If the hon. Gentleman does not mind me saying so, I think he is mischaracterising the concern of those of us who served and who remember what others went through. No one has ever asked for immunity. Everybody has always said that those guilty of a crime must face the normal judicial process. That is an established fact. The problem for them is that, because they are the ones on which information exists, there has been a fishing expedition going on without any real evidence to start the process. Then there is an inquiry and it goes on and on for people, without end. That is the problem: it is the process that is actually the penalty, not the prosecution.

Tony Lloyd: Actually, I would not want to mischaracterise the right hon. Gentleman's remarks, because I have heard him say that before. I have always welcomed the fact—the Secretary of State for Defence, the right hon. Member for Wyre and Preston North (Mr Wallace) made the same point and he is a very well-respected former serving soldier—that there is no demand for an absolute amnesty, and that those who broke the law should face the consequences of the law, whether they are from a paramilitary organisation or from those who claim they were there to serve the public good. That is right and proper. I recognise that that is the position he has always taken, but nevertheless there has been the demand elsewhere for amnesty as a way of simply saying, "Let's move on". That is precisely what the Bill will do. In five years' time, there will be an absolute amnesty. De facto, there will be an effective amnesty under the provisions in the Bill.

We need to look at whether the Bill is compliant with the European convention on human rights. I know that for some on the Conservative Benches that is a contentious issue in its own right, but nevertheless we should be compliant with that convention. There is considerable opinion that the Bill does not conform to either articles 2 or 3 of the convention in terms of the need for proper investigation, in particular in terms of torture, and to make sure there is adequate redress. The Bill is almost certainly not compliant, but, in a way, important though it is, that is a lawyer's point. What lies behind the lawyer's point is delivering justice to the people who suffered during that period of violence.

There are other defects in the Bill that have to be established, because any system of justice, if it is going to satisfy victims, must have enough transparency and a sense of independence. The Bill simply has neither. When the Secretary of State appoints the commissioners, the process will already be undermined because it is open to political manipulation. When the Secretary of

[Tony Lloyd]

State can direct the commissioner, for example in granting immunity, we have a very dangerous political precedent. The idea that this will be equivalent to the South African truth and reconciliation process is, frankly, a joke. There was a very different process in South Africa, one that was independent of politicians—that was important—and one that, of itself, allowed for challenge of the evidence brought forward by those who came seeking the amnesty process. That is why only 17% of those in South Africa were allowed that form of immunity from prosecution.

In that context, we have to recognise that there are many, many things that must change in Committee. In the end, we have to deliver something that is trusted. The words on reconciliation depend on trust. As the right hon. Member for Skipton and Ripon rightly said a few moments ago, the words on reconciliation need all parties—the IRA, the loyalist paramilitaries, the Irish Government and our own Government—to stand up and accept that things went wrong in their name. That process is important to reconciliation and it is not there in the Bill. In the end, it is important that there is trust in the justice process that, frankly, will not be there and is not there, because victims' groups and politicians across the piece in Northern Ireland just do not accept that this is the legislation that will move things on. Unless we have that trust, we will not move further on down the road of reconciliation.

I will finish at this point because of the time and to let others speak. I hope the Secretary of State will now listen to the voices that have come here. This is not a party political division or a division on ideological grounds; it is a division because this is a bad Bill that will not deliver justice to either veterans or victims. It will not deliver the capacity for Northern Ireland to move on down that road of reconciliation.

3.27 pm

Dr Julian Lewis (New Forest East) (Con): I would be inclined to agree with many of the speeches made from the Opposition Benches, not least the eloquent one from the hon. Member for Rochdale (Tony Lloyd), if it were not for one salient fact. As part of the peace superstructure, in 1998 the Northern Ireland (Sentences) Bill was passed. That Bill put an end to the argument that we must not treat terrorists on the same level as security forces, because it does that in one sense only, which is that everybody is treated equally before the law. It was often said at the time, “Security forces personnel could go to prison for life, but terrorists could not be sentenced to more than two years in jail no matter how many people they had killed.” I had a meeting with MPs from both sides of the divide in Northern Ireland, including Sinn Féin MPs, who pointed out to me that, as far as they knew, that applied to the security forces just as much as it applied to the IRA. And they were right: it does.

I think the Defence Committee was one of the first organisations, if not the first, to introduce the concept of a statute of limitation into the current debate. We did so in 2017 with our first report, but I had heard of the concept of the statute of limitation some 50 or 60 years ago in the context of Nazi war criminals who were escaping justice because a certain number of decades

had elapsed since they had committed their crimes. As it happens, a few years before I was born, the vast majority of my family in Nazi-occupied Poland was murdered for nothing more than the crime of being Jewish. I felt then, as I am sure the victims' families feel now, that it would be outrageous for the perpetrators to get off simply because a certain amount of time had elapsed. However, there was a difference then, in that legislation had not been passed—as it was felt necessary to pass it in this context in 1998—to say that no matter how many people someone had killed, they could not be sentenced to more than two years in jail and they would not serve more than a derisory few months of that sentence. So the pass has already been sold on the question of getting justice for heinous crimes.

We then come to the question of those who say, “Well, it is not so much the length of the sentence that matters, but that we should have our day in court.” There is another problem here: all these years have elapsed and people have not had their day in court, because there has not been enough evidence adduced.

Sir Iain Duncan Smith: I tried to raise this point with the Leader of the Opposition and I pose it to anybody: what do people want? Do they want the knowledge of what happened or do they want the prosecution and the punishment? As my right hon. Friend said, the punishment is pretty much gone. The point of the prosecution is also gone, unless it is only about the knowledge—in which case, how do we go about getting the knowledge? That is clearly what this seems to be settling down to, if people are honest about it.

Dr Lewis: That is exactly the central point. There are perhaps two ways of getting the knowledge. One way is to go on as we have been in trying to investigate these things piecemeal, with everybody trying to hide everything to the maximum because they feel that they will be prosecuted. The other way is to bring in a truth recovery mechanism which, in return for the granting of immunity, maximises the possibility that the truth may come out.

Stephen Farry: Does the right hon. Member concede that a middle path is to have investigations, rather than reviews? That is what a lot of the commentary in Northern Ireland is focusing on. The prospect of prosecutions actually happening is very limited, but victims are looking for the interrogation of evidence and the challenge that happens through a proper investigation rather than, simply, a desk-top review.

Dr Lewis: That is precisely what the truth recovery process is meant to achieve.

Sir Iain Duncan Smith: Will my right hon. Friend give way?

Dr Lewis: I will one more time, but I would like to develop my argument, fascinating though these interventions are.

Sir Iain Duncan Smith: I apologise, but I want to develop this point. Is the Bill not, in fact, about changing and tightening the process, if knowledge is the key element, to make it happen in an interrogative manner—in which case, that would be the way forward?

Dr Lewis: I can happily live with that compromise, if the hon. Member for North Down (Stephen Farry) can do the same.

In our 2016-17 inquiry, we approached this question from the point of view that serving and ex-service personnel were being dragged into court—because we were worried not that guilty service personnel might be found guilty, but that innocent service personnel would be found innocent only after they had gone through a horrendous process of trial, investigation, reinvestigation, and on and on. There are numerous cases of perfectly blameless personnel who, as a result of vexatious litigation, have found themselves being investigated over and over again. We have heard much about the trauma of the victim's family, and I empathise with that totally—not least because of what I said about my family history—but we have not heard enough about the trauma of innocent service personnel and security forces who were being investigated over and over again. *[Interruption.]* I am delighted to hear murmurings of support from my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), who knows more about this than most.

Sir Mike Penning: It is not just about those who were dragged through the courts; it is about those who have been at home for years and years afterwards—I first served in 1976—worrying about whether a letter would come through the box. It is about the fear felt by innocent people as well as those who are being dragged through.

Dr Lewis: That is absolutely right. It is all about protecting innocent service personnel from the vexatious use of the legal process. As I said in my intervention on the Secretary of State, it is not the punishment, but the process; indeed, the process is the punishment.

In the Defence Committee's inquiry, we were fortunate to discuss with four eminent professors the applicability of the statute of limitations. Of course, I do not attribute my views to any of them, but I record the then Committee's gratitude to Professor Sands, Professor Rowe, Professor McEvoy and Professor Ekins. They made it very clear that any statute of limitations had to apply to everybody or to nobody; there could be no legislating for state impunity.

The professors also made it clear that international law required not a prosecution, but an adequate investigation, and that that requirement could be met by a truth recovery process. The one concession that I make to those who have been criticising the Bill is that the Government need to be absolutely sure that the truth recovery process that they propose will stand up to that test in international law.

Brandon Lewis *indicated assent.*

The Minister of State, Northern Ireland Office (Conor Burns) *indicated assent.*

Dr Julian Lewis: I am glad to see the Secretary of State and the Minister of State nodding, because it is essential that the process stand up to the test.

As I said in my intervention on the hon. Member for Gordon (Richard Thomson), we can do one of two things. We can do what the Opposition parties want, which is to go on investigating cases more or less ad infinitum with very few prosecutions and even fewer

convictions, but with a miasma of fear percolating among people who know themselves innocent—particularly those who served with distinction in the armed forces, but feel the sword of vexatious legal persecution hanging over them. We can go on with that process in the almost certainly vain hope of convicting a few more murderers, or we can protect those people, but the only way to protect them is by protecting everyone.

That is what we did in the Northern Ireland (Sentences) Act 1998, so the Labour party, which introduced that Act, has no basis on which to criticise a Bill that proposes exactly the same thing, for the same reason: to put an end to this persecution and, perhaps, to increase the possibility that, through the truth recovery process, families will find out more about what happened to their loved ones. One thing is certain: the families are unlikely ever to see the people who killed their loved ones brought successfully to court. Those people are even less likely to be convicted, and even if they were, they would serve only a few months in jail.

Bereaved families are being asked to make a sacrifice, but they are being asked to make it on behalf of a huge number of former soldiers and others in the security forces who deserve to be protected from vexatious pursuit through the courts. That is what the Bill is intended to achieve.

3.39 pm

Gavin Robinson (Belfast East) (DUP): It is a pleasure to follow the right hon. Member for New Forest East (Dr Lewis). He and I have parsed the course on this issue and the myriad alternatives within legacy over many years. I served on the Defence Committee with him during the 2016-17 inquiry, and the later inquiry whose findings were published in about 2018. We do not agree, and I am not sure that his synopsis of the views of those four academics was entirely fair; but I will return to that later in my speech.

Before I proceed, let me say that I thought the contribution from the right hon. Member for Skipton and Ripon (Julian Smith) was the most powerful that we are likely to hear this afternoon. I think that it was motivated not by prejudice or political aspiration of one hue or another, but solely by the right hon. Gentleman's emotionally charged and personal experience in Northern Ireland. It was rooted in principle, and I thank him very much for it.

I have been thinking back to a debate that we had in Westminster Hall about proposals for legacy, and I was reading some of the speeches in *Hansard* this morning. I recalled a radio interview that I had heard on the morning of that debate. Alan McBride, a victims' campaigner from Northern Ireland and a victim himself, was talking about a day of reflection for victims in Belfast and elsewhere in Northern Ireland. He said, "When we were thinking about a day of reflection in Belfast, we tried to find one day—one date—when nobody died." They could not find one. They could not find a single day in the calendar when somebody had not been killed in Northern Ireland. They chose 21 June, the summer solstice, because that day heralds a new dawn, that day heralds a new season, that day heralds warmth and aspiration.

When it comes to our party's approach to the issue of legacy—and, in fairness, the approach of the majority of parties in Northern Ireland—we cannot detach ourselves

[Gavin Robinson]

easily from victims, or their experiences, or their hurt, or the lingering fears and doubts that pervade our society. I know that it is easy for others in the Chamber to take a more “singular” view—a singular constituency-based view, or a single veteran’s view—but we cannot do that. A principle that we have applied throughout the myriad decades of consideration about legacy has been one that keeps open the hope of justice, no matter how easily those who have spoken today have tried to detach us from it. It keeps open the pursuit of justice, of recognition by the state that what happened to people’s loved ones was wrong. It is the principle that natural justice and the rule of law in this country still matter, still count, and should still run through our system. That is something that we have attached to every proposal that has been brought before us.

There is a second principle. I do not attach this to other parties, but we have never wanted to see an equivalence between people who lived innocent, peaceful and wholesome lives and were cut down in their prime as a result of terrorists—or those brave women and men who stepped forward and stepped up to protect all of us and give us the freedom to stand in this Chamber and political chambers throughout Northern Ireland, and to stand up for what is right and what is true—and those who went out to destroy and wreak havoc in our society.

I am afraid that on those two principles, this Bill fails. I take no joy in saying this. I know that there are Members in this Chamber who are thinking, “For goodness’ sake, Northern Ireland legacy again, can they not just agree?” We do all agree in Northern Ireland that this Bill is wrong, that this Bill will not command support, that this Bill drives a coach and horses through the pursuit of justice, although I take no pride in that.

We have been through the discussions about a statute of limitations. I chided the right hon. Member for New Forest East earlier about his revisionism—perhaps his fair rehearsal—of the approach of the four academics, but I said it fondly, because I have huge admiration for him. He is right to say, and the academics were right to say, that should anything be brought forward, principled and detailed, as a statute of limitations, it would have to apply equally; but the landscape in Northern Ireland is not equal.

We always advanced the argument that no one who broke the law could escape the law and no one who deserved justice should evade justice. When those who served our state and put on the uniform of our brave armed forces—whether it was the Royal Ulster Constabulary, the Ulster Defence Regiment or other organisations—were involved in incidents that led to a killing, there will have been an investigation. We know that, post-1973, those investigations were article 2 compliant. We have always advanced the argument that where our state can demonstrate that it has discharged its duty, we should be able to move on: no reinvestigations, no trauma and no fear of that knocked door, because the state has done what is required of it under the European convention on human rights. For whatever reason, however, there were too few within the system of government that wanted to embrace that argument. I say that the landscape was uneven in Northern Ireland because when the state was involved, an investigation duly followed, but I am

afraid that when the state was not involved, there were far too many deaths for which there was no investigation. That is how that principle could have been applied.

There has been mention of two years: the Good Friday agreement, the early release of prisoners and a maximum sentence of two years. Explanations have been banded about today, including, “That’s just the way it is”, “That was proposed by the Labour Government”, “It was passed by referendum in Northern Ireland” and “It was ultimately put through this Chamber”. I will not be shy in saying that I found it obtuse and offensive then, and I find it offensive to this day. Two years—that is all. If you have served it, out you go. That is not justice. There were no cheerleaders for that proposal in Northern Ireland. Some accepted it as a compromise as part of the Good Friday agreement, and others did not.

How many times have we heard in the debate this afternoon that two years is not what we are talking about here? Read schedule 11 of this Bill; it will not tell you that the Bill removes those provisions. It will not be two years in jail; it will be nothing—no jail time whatsoever, whether someone engages in the process, seeks immunity from prosecution and tells the truth, or they do not. If someone sits outside the system, if they offer no answers for relatives of victims and their loved ones and if they decide that this process and this Bill are not for them, it does not matter because the British Government seek our support in this Parliament for legislation that reduces their time in jail to nothing. Who could be proud of that proposal? Schedule 11 does not even spell it out, but those are the ramifications of the Bill. Engage or do not engage—it does not matter; you will serve no time.

Sir Jeffrey M. Donaldson: My hon. Friend is making a powerful point. Does he agree that these provisions are not something remote in the sense that they apply only to incidents that occurred in Northern Ireland, but that in fact the provisions of the Northern Ireland (Sentences) Act 1998 apply to terrorist incidents that occurred in Great Britain and elsewhere? They include the murder of British citizens in this city, in Birmingham, in Manchester and, indeed, in many of the constituencies represented by Conservative Members. Those Members need to understand that this injustice does not just apply to the people we represent; it applies to every single family in this United Kingdom whose loved ones were cut down in cold blood by terrorists, and that that capacity remains in this country to this day.

Gavin Robinson: I agree, and I hope that the point is not lost.

No intended time, and no consequence. With no consequence to not engaging in this process, there is no inducement to engage in it. I heard the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith)—who has been fair in his contributions on the legacy issue over many years—ask what it is that people want. Do they want time served in jail or do they want answers? There is no single answer to that question—there are many victims. It has been said today that people just want to know the truth. There are victims the length and breadth of Northern Ireland who know exactly who killed their loved one, and they see the perpetrator walking freely through their town on a daily or weekly basis. As they walk the lonely path to the graveside to see their loved one, the person they know to

be responsible for their loved one's death walks free through the streets with their family. That person still walks and there has been no effective investigation.

To bring the question into this House, how often do Members walk through the double doors into the Chamber and look at the plaques right above? There is commonality between each of those three plaques, because each gentle man stood for election to this House, each gentle man believed in democracy and the rule of law and each gentle man was murdered by terrorists related to the Northern Ireland troubles.

Rev. Robert Bradford was murdered by the IRA at his constituency surgery in Belfast South in 1981. Airey Neave was murdered in his car by the Irish National Liberation Army with an under-car booby-trap bomb in 1979. In 1981 Ian Gow was murdered by the IRA, again with an under-car booby-trap bomb. They were our colleagues and predecessors who stood up for democracy in this country, but they were cut down in their prime. What else connects them? Nobody has been made accountable for those crimes. The perpetrators have evaded justice.

Sir Jeffrey M. Donaldson: Again, my hon. Friend makes a powerful point. Is he aware that the chief suspect for the murder of Airey Neave in the precincts of this House is currently operating a bar in Spain? He has eluded justice and, under the provisions of this Bill, will never have justice served upon him.

Gavin Robinson: That is exactly why I raise these issues. I want hon. Members to know that this is not just about cold cases that have never had a prospect of success in the courts. There are people out there today who are guilty of the most heinous crimes during the Northern Ireland troubles, against our state, our citizens and our neighbours across the communities in Northern Ireland and throughout Great Britain. They have evaded justice, they have fought extradition and they have squirrelled themselves away into the Irish Republic and, under the political offence exemption, have stayed there. Some of them live in the United States of America, and our Government have sought their extradition because they know they are responsible and they want to bring them to justice, yet they stay in their safe havens. And some freely walk the streets of Northern Ireland in exactly the same position.

Those perpetrators of violence, be they republican or loyalist, will be able to sleep soundly in their beds once this Bill is passed. They will know that they never have to spend a day in jail. They know that the focus will be on state cases for which there is information that will naturally run through the information recovery process. They will not engage in this, and there will be no consequence for their not doing so.

I say with as much respect as I can in the circumstances that the idea that our Government and this Parliament will pass legislation that allows perpetrators of violence who have evaded justice to retire in dignity is a disgrace, and retire they will. This Parliament has considered on-the-runs legislation in which our Government, at a request from the republicans, were going to pass measures saying that those who were on the run and evading justice could come home and get away scot-free. It was going to be passed by the Labour Government until Sinn Féin realised that it would apply to soldiers, too, and pulled its support.

After the on-the-runs legislation, we had the letters of comfort. I am glad the Secretary of State ruled out the application of letters of comfort today, but John Downey walked free from court as a result of letters of comfort. They were not issued by the Conservative Government; they just came to light after 2010. John Downey is responsible for the Hyde Park bombing that killed 11 service personnel and seven horses working alongside them. When he stood in the Old Bailey, he produced a letter that said, "You're not currently or actively sought for investigation." This Parliament has a history of bidding for the wrong people in my view. Our view will always be based on those who have suffered the most in Northern Ireland.

I am sure that the Government have got the impression that we will not be with them on Second Reading of the Bill, but the issues are far too important for us to say that we cannot have any part of it and therefore not engage. I want the Government to hear us loudly and clearly that we will be tabling amendments, and we will seek as much cross-party and cross-community support for those amendments as possible. I hope that if we do that in the spirit of good will and co-operation, the Government will engage in these thoughtful considerations about sentencing and time served, because getting a conviction, being out on licence and having all the freedoms that people enjoy while their victims do not is simply not sufficient. We need to rule out the ability of people who have actively evaded justice, and who the Government have sought through extradition proceedings, to come home and retire with dignity. I hope that we will get a willing ear, Mr Deputy Speaker.

Several hon. Members rose—

Mr Deputy Speaker (Mr Nigel Evans): If we have speeches lasting 16 or 17 minutes, we will not get everyone in. Guidance was given earlier about looking towards 10 minutes, and I hope that people will now start to look to do that. Going a shade over is not too bad, but I just want to get as many people in as I possibly can.

3.56 pm

Johnny Mercer (Plymouth, Moor View) (Con): I have huge respect for many of my colleagues in this House, and I have listened intently to what has been said today on all sides on this issue, on a path that I have walked down for seven or eight years now, whether in relation to Iraq, Afghanistan or the unique intricacies of Northern Ireland. I have seen the difficulty with this issue laid bare today. I was the Minister who introduced the Overseas Operations (Service Personnel and Veterans) Act 2021 that brought to a close the Iraq historic allegations team. Everyone understands that if people see someone commit a crime they want them to go to prison. Everyone wants accountability. To pretend otherwise is a huge disservice to the victims and those who serve in the security forces. That is to approach the world and this whole problem—it has been approached this way for the past 25 years—not as it actually is but as we would like to see it. We would all like to see those things. We would all like to have seen decent investigations from back in the day that would withstand ECHR challenge now. We would all like families to genuinely have hope of an understanding of what went on and have answers to their problems, but there is nothing we

[Johnny Mercer]

can do about that now. There is nothing we can do. That is not my opinion; it has been tested to destruction in the courts and the justice system in Northern Ireland.

The process of testing that to destruction has destroyed the lives of some of our people who sacrificed the most for the freedoms and privileges that are enjoyed in that part of the United Kingdom today. I am afraid that colleagues in this space have to get real and stick to the truth and the facts. A number of comments that have been made today are, I am afraid, not true. I dearly love my friend the hon. Member for Hove (Peter Kyle), who is on the Opposition Front Bench. He is a great friend of mine, but what he said about sexual offences is not true. The truth is written in the Bill, and Members can read it.

My right hon. Friend the Member for Skipton and Ripon (Julian Smith) made an incredibly powerful speech, but he mentioned collusion. Collusion has never been proved—[*Interruption.*] Collusion has never been proved in a court of law. If anyone would like to challenge that, please do so now. The suggestion that it happened is incredibly offensive to those who went out there to try to sustain peace.

I urge colleagues to accept that there are no winners here. There are going to be no winners. There is no social media clip that they can send out to the people who vote for them that will suddenly make them think they are the best thing since sliced bread and ensure they get in at the next election. There are no winners in legacy. It is a mess. The whole thing is a disaster. But we have to do what we can to bring some sort of end, finality and truth to this process for the victims. That is what I want colleagues to focus on.

Some Opposition Members have consistently said in the press that people want individuals to get away with murder and all the rest of it. It is a total load of garbage. I have always been clear, from the outset, and I say it again, that all I have asked for is fairness. All this Government are looking to introduce is fairness to all sides. I have never argued for those who operated outside the law to be unaccountable—I argue the complete opposite, because it is a foundation of our society.

There are those who continue this argument. I go out to the trials in Northern Ireland and they ask why I do not engage with them. It is because they are deliberately propelling a false narrative for political ends. That has gone on for too long in Northern Ireland and failed too many people. I am afraid I will not be part of it. To those people I say again today, as I have said many times before, that uniform in particular is no place for those who cannot adhere to the standards set and maintained by the vast majority of those who serve in Britain's armed forces. We can find that idea espoused most by the operators themselves.

As I have said, the core of the problem is that people see this issue not as it actually is—a complete mess in which the state has failed families and failed veterans—but as they want to see it and as they want their world to be. If they were totally honest with people, they would say, “Do you know what? You're not going to get the evidence up to a criminal threshold that means we will convict someone for your son's murder.” I will tell the House why they have not done that: because it requires a level of integrity and courage that has eluded so many politicians in Northern Ireland. That is the reality that

is currently being tested to destruction every day in the courts. It is often said that it is not justice they seek but their version of justice. That is not my opinion; it has been proven a number of times—the evidence gathering was terrible.

If it was my family member, I would be leaping. I would be jumping up and down, absolutely furious if my brother, sister, father or mother had been killed in some of the situations investigated by the British state. The soldiers were not interviewed by the police, they spoke to the Royal Military Police and some of the statements were pre-written. It is a disgrace, and I accept that. People will get away with things they should not get away with. We can bemoan that all we like, make speeches and speak to our home crowd as much as we like, but it is never going to change. I tell you now, everybody knows that is true—the judges who serve on these cases, the prosecutors who promise convictions for bereaved and vulnerable families, the so-called community leaders who pump out this rhetoric without a care in the world for the damage they do to the families who are looking for answers.

Of course, for veterans this must end. They hound old men in courts over in Northern Ireland. Two weeks ago, I listened to what exactly the drills were for a GPMG—general purpose machine gun—weapons system at a particular moment in time 40 years ago. There was an old man on the stand and he simply had no recollection. It is a farce, and I tell you now: it looks appalling for Northern Ireland. It looks ridiculous for Northern Ireland, and it loses the credibility required to bring anybody along in the process. For people like me—who, I reiterate, are not protectors of those who break the law in uniform—it fatally weakens the cause.

Attitudes have changed. We cannot let history's notoriously heavy hand be an impediment to reconciliation, peace and opportunities in Northern Ireland for the greater good. Truth about the past has an important role to play but, as I have said today and pointed out to individual Members, it is about the actual truth, not their version of the truth, and about all the uncomfortable, messy, bloody and disgraceful actions that occurred. It has to be the truth, not their version of the truth.

I wish to focus my remarks on two key groups: the families of the civilians who died and those who sought to uphold the law in the security services—I will come to the veterans in a moment. I am talking about the real people in this debate. They are not trying to get elected all the time. They are not saying ridiculous things in the Chamber like, “British soldiers went to my town to murder civilians”. They are not saying that sort of thing just to get social media clicks—[*Interruption.*] That is precisely what the hon. Member for Foyle (Colum Eastwood) said. That is exactly what he said, and it was an absolute disgrace. He is a disgrace to this House. These are real people, and they are not like that. They are real people without answers, without parents, without siblings and without loved ones, some of whom are under threat from almost interminable prosecutions.

I accept that the Bill needs work. The Government must overcompensate for the failures of the past, particularly on transparency. We cannot blanket rule out people finding out what happened to their loved ones because of national security. That has been the situation for too long, and the truth has not come out. Time has passed, and we are in this situation now. We must hand this over to the main protagonists, and chief among them are the

team at Op Kenova led by Jon Boutcher. Time and again, I have said that the Government must bend over backwards to show what Boutcher is doing in that investigation, and that it should be lauded in all parts of this House. What he is doing requires really difficult skills, and it must be replicated in this commission, so that victims have confidence in what is being done.

I recognise that many Members have come out against the Bill, despite the fact that it has been in the public domain for only 48 to 72 hours, and I genuinely think that that is a mistake. This is an incredibly difficult space. We have probably a generational opportunity to get this right. Legacy is not an amateur sport. It is not about coming out and saying slogans and thinking that it will all go away—Members on the Conservative Benches have been as guilty of that as anybody else. It will not go away, and to imply otherwise is deeply misleading.

Critical to the success of this Bill is how it is handled by Ministers, and I encourage them in their endeavours. I pay tribute to the Secretary of State for what he has done. When the Command Paper came out, it was clearly rejected—I was probably one of the few on these Benches to come out against it. But the Secretary of State has had the character to look at it and come back with more realistic and better proposals, and he should be commended for that.

Finally, I want to address the issue of veterans. The Good Friday agreement was an incredible piece of work, ending years of bloodshed in Northern Ireland. However, there is no doubt that the issue of veterans was left on the table, and there are some of us who will never accept that. We are not asking for favours; we are asking for fairness.

Sir Jeffrey M. Donaldson: I thank the hon. Member for giving way. I know that he speaks passionately on behalf of many veterans, and I understand that. He spoke of the Government responding to his concerns. Does he agree that, when the Minister of State rises to respond to this debate later, what we want to hear is a willingness from the Government to consider carefully reasoned amendments to this Bill that take account of very real and genuine concerns that we have about this process?

Johnny Mercer: I agree with the right hon. Gentleman 100%. We have a job here to go down that route. It must be abundantly clear to families in particular that the powers in respect of information held by the security forces sit not with the Northern Ireland Office but with the commission, which has unfettered access to that material. Any evidence that exists must be allowed to have modern techniques applied to it, as is the case under Kenova, to ensure that the truest accounts—not a version of the truth, but the truest accounts—are given to the families. The commission must have the right to speak to anybody who is still alive and could shed light—the barman in Spain, for instance.

Finally, I do want to address the matter of veterans. This Chamber is not packed today. I tell Members now that there is no other country in the world that would treat its veterans like this. I totally get the emotion in people's speeches—I genuinely do—but the way that this has carried on over the past 25 years is an absolute disgrace.

I promised veterans before I was in Government and when I was in Government that I would do whatever it took to help them—that I would not allow them to be left behind on the negotiating table, or to be left in that “too difficult” column, as has been the case for decades. Those decades have seen lives ruined and lives ended prematurely. The whole premise of a generation's sacrifice in Northern Ireland has been questioned openly with almost no defence, save from a few hon. Members, some of whom are here today.

I never served in Northern Ireland and I have no relation to that wonderful part of the United Kingdom, but I know the institution that shaped me. While I know the UK's armed forces will always have their challenging individuals, as any organisation does, and we must do better in holding them to account, the overwhelming sense is one of deep professionalism, humility, courage, integrity and self-sacrifice. Those values have been tested to destruction and beyond. I have personally seen men die in the upholding of those values.

In this journey, one of the most affecting testimonies I have heard—I realise I am going slightly over 10 minutes, Mr Deputy Speaker, but this is important.

Mr Deputy Speaker (Mr Nigel Evans): Not slightly; you are well over, Mr Mercer.

Johnny Mercer: Okay. I just want those soldiers' voices to be heard at the end of this. We talked about the two-year limit and the pain that that has caused. Veterans are not stupid. We understand the need for difficult compromise. Peace must prevail and endure; that is ultimately why we sign up in the first place—to protect the peace. However, allowing veterans' sacrifices to be used as pawns in this political settlement has to end. When I came to this place I could not believe the ease with which those sacrifices were trashed or the ease with which political leaders abandoned those veterans to their foes, who are now invited into government in Northern Ireland, with the full utility of the levers of state at their disposal. Never again must we allow them to rewrite history in their favour.

I say to veterans: the nation is deeply proud of your role in securing peace in Northern Ireland and profoundly grateful for your sacrifice. Whatever happens in the process of this Bill—I urge colleagues on both sides to work with Ministers and I urge Ministers to bend over backwards to get it through—I hope veterans begin to understand that there are some of us in this place who will do whatever it takes to get there in the end.

Several hon. Members *rose*—

Mr Deputy Speaker: Order. I remind people again that 10 minutes is the target we are looking at, otherwise I will introduce a time limit. And let us have temperate language, please, to one another throughout the debate.

4.11 pm

Colum Eastwood (Foyle) (SDLP): I will point out one thing at the outset. I am sitting with colleagues from Northern Ireland around me, and while we rarely agree on much—I think they will agree with that—we agree on this. We come at it from different perspectives and we will make different types of speech, but we agree that

[Colum Eastwood]

this piece of legislation goes absolutely against the wishes of the people of Northern Ireland and against the interests of the victims in Northern Ireland. Nobody on these Benches is interested in social media clips or dipping in and out of an issue every couple of months. We have been doing this for a long time; we speak to every single victims group and we try our best to represent them. Some people in this House might not like that, but we will continue to do it.

I have great respect for the Chair of the Select Committee, the hon. Member for North Dorset (Simon Hoare), but he said that there is something in this Bill for everyone. I say this with great respect, but there is nothing in this Bill for the victims and those people who have been left behind by all the perpetrators who destroyed lives and families over many years.

I was interested to hear the comments of the right hon. Member for New Forest East (Dr Lewis). He intimated that we have all been fighting with each other and we need the British Government to come in and sort out the problem for us. That is a fundamental misunderstanding of what happened over many years and many centuries in Northern Ireland. The British Government are no neutral observer in what happened, and they cannot be allowed to make the decisions on behalf of the people of Northern Ireland. We have already agreed how to resolve this issue: it is called the Stormont House agreement. As difficult as that is, as complicated as it has been, that is the only route that has buy-in from all the political parties and two Governments—at least, it used to have.

Before I came into this Chamber, I met for a cup of tea with a man called Michael O'Hare. His sister was called Majella, and she was 12 years old in 1976. She was walking with her friends to the chapel when she was shot twice in the back by a British Army Parachute Regiment member. Michael does not want an amnesty for anybody.

I was reminded of another case in my own constituency by the fantastic and heartfelt speech by the right hon. Member for Skipton and Ripon (Julian Smith), who talked about Patsy Gillespie. The IRA abducted Patsy Gillespie from his house, leaving his wife Kathleen and his family at home. Patsy worked in a British Army base. He was chained to a van full of explosives and forced to drive into that army base on the Buncrana Road in Derry. Patsy was killed along with five British soldiers. The people who carried that out will be freed from any concern as a result of this legislation.

I also wonder about the Ballymurphy families. In August 1971, 11 people were killed by the British Army—by the Parachute Regiment, again. Daniel Teggart was one of the victims. His daughter is called Alice Harper. This is what she had to say recently:

“We identified my daddy by his curly hair. Fourteen times they shot him. The next day they blackened his name and called him a gunman. Two years later, my brother Bernard, with a mental age of nine, was killed by the IRA. We want no amnesty for anyone.”

The Ballymurphy families would never have seen the truth that the world got to see about what happened in Ballymurphy if these proposals had been brought in before the result of that inquest.

We hear that the new system will provide truth for people. Well, Columba McVeigh was 17, from Donaghmore, County Tyrone. He was abducted and killed by the IRA and his body was disappeared. His body has still not been found, despite the fact that the Independent Commission for the Location of Victims' Remains allows for immunity in these cases. It would have allowed for the IRA to come forward and tell Columba's family exactly where the body was buried. They have not done that—that is the point.

The idea that this legislation will bring truth to families is absolute nonsense. The pretence from this Government that the legislation is about victims or reconciliation is frankly an out and out lie. This is about politics and a manifesto commitment—about protecting the state, as it always is. It will protect every single perpetrator who committed those crimes in Northern Ireland. I cannot find anybody, apart from Government Members, who believe that this legislation is the way forward. The Queen's University law school's model Bill team describe it as unworkable and as breaching international law. Alyson Kilpatrick, the chief human rights commissioner in Northern Ireland, said:

“we are sure that this Bill is substantially, in fact almost certainly fatally, flawed.”

This is an overt attempt to close down access to truth and justice for the victims of our conflict. It rips up the Stormont House agreement—an agreement that people have bought into—and it does not have the support of the parties in Northern Ireland. It has absolutely no support from victims' groups in Northern Ireland: many have told us in the past few days that they will boycott the processes if they become law.

Others have said that there is no such thing as collusion. I cannot believe that they are still saying that today, given the number of times the police ombudsman has uncovered the fact that there has been collusion in Northern Ireland between the state and paramilitary organisations.

Johnny Mercer: Will the hon. Gentleman give way?

Colum Eastwood: Do you know what? I won't.

The Bill is attempting to close down the police ombudsman's opportunity to investigate issues of the past. I wonder why. It is also closing down access to the civil route for families. What happened last Tuesday? The Secretary of State announced that there would be no new civil cases after that day. Families who had been told that they were supposed to be at the centre of this were running around with their lawyers trying to get access to the courts before they closed that day. That is some way to treat the people who have suffered the most!

It is all right for the rest of us, who are still here and doing quite well out of the peace process. The people who have been left behind have been treated shoddily by this Government as recently as last week. People who have waited decades for an inquest and are now in the queue for one are being told that they will not have any opportunity to get the proper truth. If this is about truth, why are we afraid of inquests? I just do not understand it.

This legislation is riddled with Government overdrive and there is nothing independent about how the organisation will be constituted. There is no meaningful article 2 compliant investigation. Frankly, it is a recipe for impunity.

I have heard reference to Kenova. This Bill is not Kenova. It is nothing like Kenova. Kenova allowed proper judicial processes and proper investigation processes so that families and the rest of us could get access to the truth. South Africa, equally, it is not, and that argument has been well debunked.

The Government are telling us they want to see access to truth. Let me tell the House about two cases I know well. Paul Whitters was 15 years old in 1981. He was shot in the head by a police officer with a plastic bullet. Despite promises from this Government given to me, his file has been closed for a further number of years. Mr Deputy Speaker, do you know when that file will apparently be opened? In 2084. He was 15 years old. In the same year, 1981, the British Army fired a plastic bullet that killed Julie Livingstone, 14 years old, in Lenadoon, west Belfast. Her file will not be opened until 2062.

The Government are telling us that they want truth and access to reconciliation for victims, but every single thing they have done—whether this Bill, the Ballymurphy inquest or the Bloody Sunday inquiry—has been to protect the state, to deny access to truth and to deny access to justice for those people who do not have the same ability to protect themselves. I heard we have a new shiny headquarters in Belfast for the Northern Ireland Office. Victims were standing outside it today, protesting these proposals. They were also in Derry and at Downing Street, because they believe—to a man and woman, in my experience—that these proposals are absolutely wrong. Raymond McCord is in the Public Gallery. He has had to fight against the state and loyalist paramilitaries to try and find truth and justice for his son, Raymond.

The question is, do this Government really care about Raymond and all of those victims, or do they simply care about fulfilling a manifesto commitment, protecting the state and protecting paramilitary killers, because that is exactly what this piece of legislation will do if it is passed?

Mr Deputy Speaker (Mr Nigel Evans): Thank you very much for keeping within the unofficial, but fairly official time limit.

4.21 pm

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): I rise to speak in this debate because I have had a long interest in Northern Ireland. I served in Northern Ireland in 1975. I remember the billboards at Christmas saying, “Seven years will have been too much”. To be honest with you, Mr Deputy Speaker, I hated every moment of it. I did not ask or volunteer to go there. I did not want to be doing something that I did not think I was ever trained to do, although we did carry out training. It struck me as a real problem.

I also want to say one other word about it, because often it is bandied around that political parties over here do not really get it. The Conservative party has lost a large number of people to terrorism—in the Brighton bombings alone and in other killings. We can see their coats of arms up on the wall in the Chamber. My predecessor, Norman Tebbit, has had a lifelong period of pain. His wife was disabled. She is now dead sadly, God rest her soul, and she put up with a lot as a result

of her husband being in politics. The sadness is, as he leaves politics now, that he bore that all the way through. After the Good Friday agreement, he had to watch those who he knew had done it walk away. They walked away under the agreement that reduced everything to two years, and the pain he and his wife must have suffered was enormous—I know it was. I speak therefore with a certain amount of humility, as much as I speak about my own service.

The truth is, I want to talk about one particular person. Captain Robert Nairac was a good friend. He was passionate about going to Northern Ireland as a Catholic. I am a Catholic myself, and he thought that he could do something over there to help and that he would understand it. *[Interruption.]* My right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) served with him as well. The truth is that Robert was captured. He was taken, he was tortured, we understand, and we think he was eventually executed after attempting to escape, but we do not know the full circumstances.

The sadness of all of us who have watched is that we want to know what happened. We want to get some closure. We have never understood what happened. Where is he buried? His parents went to their graves never knowing where he was. They could never go to that grave and say some words over it. That is the reality of where we are today and the point is that many people already suffer because of it.

The truth is that I do not love this Bill. I think that it is, in many senses, imperfect—as it will be—and it has problems and difficulties, some of which were related earlier. The question that we need to face is what we are really after. If we want justice in terms of prosecution and, if necessary, eventual incarceration, we need to deal with the reality that we no longer have that, because two years for murder most foul is not justice. It cannot be justice.

So do we want the prosecution to raise information? The problem is that many prosecutions are taking place against people about whom there are huge numbers of records because they happened to be servicemen and women. That is why those cases can be taken up—because the Government have all those records. Those who committed terrorist acts, however, where there is little information and little willingness to do anything about giving evidence—they may have fled the country—will remain a mystery. I talked about Robert Nairac, but I have no idea who committed that murder or how many were involved in his final demise.

All I can say is that if the Bill is about knowledge, the system at the moment is imperfect. If it is about punishment and prosecution, the system at the moment is imperfect. So what are we going to do? I understand that the Bill is a process and I think it is a genuine attempt by the Government to try to find a way that allows the families of victims to at least know and understand what happened.

My point is that things will have to change if we are to see any of this happen. On that, I have a small comment for the Opposition. I understand their position, but I wish that they had said “Maybe” rather than “No”, because we now engage in a process. The question is whether we can get some of those things right during that process. That is the point. There was an exchange between my right hon. Friend the Member for New Forest East (Dr Lewis), the Chair of the Intelligence

[Sir Iain Duncan Smith]

and Security Committee, and the hon. Member for Gordon (Richard Thomson) about exactly what we want to achieve at the end of this and whether it can be made to achieve it. That comes down to a couple of issues, which I will deal with now.

First, we have a problem in the reconciliation process. To allow someone to just come in and say, “As far as I can recall, this happened and that’s my lot,” and for them to be told, “Well, that’s okay. Now you can go away and you’ll never be prosecuted for it. It’s alright. Don’t worry.” does not work for me, and I do not think it will work in the process. It must be much more interrogative and individuals must be cross-examined about exactly how far their knowledge went.

Secondly, I would like the commission to decide whether we are going to go ahead with this regardless of whether it considers that, on balance, the individual has told the truth and deserves any kind of immunity from future prosecution. In other words, that needs to be tightened up a great deal. If families of victims are to have any faith in it, they will need to understand that there was due process.

Gavin Robinson: The right hon. Gentleman touches on a good point, because the commission would consider what the individual seeking immunity says and whether it is truthful, but under the Bill it is not allowed to consider any other information. Does it not strike him as odd that it has no ability to challenge the rigour or integrity of what it is told?

Sir Iain Duncan Smith: I understand that. As I said earlier, with all humility to my colleagues from Northern Ireland, I start from a position of trying to find a way through. That is one of the problems with the Bill. If it is about knowledge, we have to meet that requirement somehow in the Bill, because it is not happening out there. For all the talk about prosecutions and knowledge, few of those who carried out those heinous crimes have ever ended up in the courts or will ever end up in the courts, so how can we manage to make that happen?

Another part of the problem is those who do not co-operate. I worried about the two-year issue in 1998, because it seemed unfair and not really justice. If someone blows somebody else up; murders them; or takes away a family’s father, brother, sister or whoever or a member of the armed forces who was there to protect them, they should, after committing such a crime—murder most foul—face the fullest penalty.

I understand the compromise that was made at the time—I understand that. Many of us had to bite our lips, but we understood it. My point is that if we are going to open the door on the one hand to those who would entertain the possibility of coming to speak the truth, we must also say that those who do not will face the full penalty of the law for murder most foul: “You will not be given an exemption. You will not end up with only two years. You will face a full prosecution if you are not part of this process. In other words, either you co-operate, you face the interrogation and you actually come out as having told the truth, or else you go down the other road back into the justice system and you face full prosecution.” To some degree, that would at least give balance. It would at least give an idea

that somehow the process not just sought the truth, but punished those who refused to participate in that process.

I end simply on the basis that the process will never satisfy everybody. I know that, and I know that families will feel very hurt by this process so far, but I think there is a way through. The one thing that has characterised, in many senses, this House over Northern Ireland has been somehow trying to find a way through the thicket of the different positions that people take. I for one think that the process of trailing veterans—where the information is there, they had given evidence previously and they have been fact-faced at interrogations—should not go on, because it is terrible and belittling, and at the same time creates real problems for them at home. We want to find a way to settle that, but I do not want to settle it on the backs of those who still await to find out what happened.

If we can find a way through on this Bill, imperfect as it is at the moment, that would be worthy of the effort. I would encourage the Opposition to engage as much as they possibly can, because this is too important an issue to divide on in a very political sense. I want to see closure: I want to find out what happened to my friend Robert Nairac, because it troubles me every single day and I never got to say goodbye to him.

4.32 pm

Carla Lockhart (Upper Bann) (DUP): I am very conscious that this debate is most likely being watched by victims and survivors in Northern Ireland as well as those based here on the mainland. I am conscious of how painful this is for them—the hurt and the trauma inflicted and, indeed, the sense of betrayal brought about by this Bill. I make no apology for stating that it is those innocent victims of terrorism who are front and centre in how I and my party approach dealing with the past. The past is still their present. They paid the greatest price. They did not choose to pay that price; it was inflicted on them by the bomb and the bullet, by the evil, wicked hand of terrorism. All they seek in return for the price paid is justice, and for the perpetrator to be held to account for their deathly actions. While the widow and her young family stood at the graveside mourning the loss of the innocent husband and father, they craved the moment when the terrorist stands in the dock facing justice. As time has passed, that ray of hope has grown dimmer, but remained. Today, the Government are extinguishing that hope.

As a party, we have consistently applied a number of tests to any proposal around legacy. The tests are that there remains the opportunity for justice for victims, that there is no amnesty and that any process is fair and balanced. What we have before us today in the form of this Bill fails all three tests. As far back as the Belfast agreement, the DUP opposed the reduction in tariff for terrorist-related offences to a maximum of two years. We found such leniency towards those guilty of some of the most heinous crimes imaginable to be a perversion of justice, yet what this Bill proposes is even worse, for there is no custodial sentence whatsoever in these proposals, only a period on licence. To the on-the-runners’ letters of comfort, add the freedom pass. How utterly repugnant.

We know how the process will work. In reality, a terrorist could come forward and tell whatever tale he or she contrives. With no new evidence and on the

balance of probabilities, some will get the reward of an amnesty for their tall tale. I am yet to decide if it is naive or simply duplicitous of the Government to suggest the Bill will help to address the legacy of the past: to do that, surely truth must mean something. For Sinn Féin, “truth” means concealing as much as it can about IRA terrorism. When Martin McGuinness, an IRA godfather with the blood of many innocents dripping from his hands, appeared before the Saville inquiry, he stated that his IRA oath curtailed what he could say. He said, and the Government should take note:

“I feel I cannot answer that question because there is a Republican code of honour. For me to identify who these people are would be a betrayal, in my view. To do so would have been a gross act of betrayal. I have a duty, in my view, stretching back 30 years, to those people and I am not prepared to break my word to them under any circumstances.”

Despicable.

Let me raise one other issue in relation to our brave armed forces, who stood against those intent on death and destruction. We have seen the imbalance in resources and in the ferocity with which answers have been sought in instances involving our armed forces, compared with terrorism. It is not that long ago that I stood outside a Belfast courthouse with the hon. Member for Plymouth, Moor View (Johnny Mercer) and the late Dennis Hutchings, who was chased to his grave by those intent on the vexatious prosecution of soldiers. Dennis, like others, was placed in that position in rural Ulster not through choice, but in response to a situation foisted upon our land. This country and this House put our young men and women in an incredibly dangerous position and, as part of their operational duties, they had to make very difficult operational decisions, sometimes with tragic outcomes. It is appalling that they should then be subject to the full rigour of criminal investigation, as proposed by the Bill. Furthermore, it is scandalous that should a soldier tell his story and it not be completely corroborated by documentary evidence, the burden of proof for the soldier is much higher than for the terrorist whom he was sent to defeat.

It was William Gladstone who famously said:

“Justice delayed is justice denied”.

However, the Bill is much worse. It is justice denied and justice destroyed.

4.38 pm

Stuart Anderson (Wolverhampton South West) (Con): I am honoured to speak in the debate and I understand the sensitivities, the emotion and the hurt that many people in the Chamber feel, given their personal experiences and those of loved ones. I shall try to temper what I say in my speech as a result.

I served for 18 months at the back end of the troubles, so I am one of the youngest of those who served there. My father served in Northern Ireland in the early days of the 1970s with the SAS. I grew up in Hereford watching my dad search under cars. I would ask, “Why are you looking under the car, Dad? What have you dropped?” We grew up with that—I lived two or three roads from the SAS camp. The fathers of many of the kids I went to school with served in Northern Ireland and were family friends. The whole community felt it, and we would regularly have bomb threats near the camp.

On a lighter note, some of my friends realised that if they called in a hoax bomb threat to the school, we would be sent home for the day. After three days of hoax threats, the school said that we would have to go in at the weekend, so the bomb threats stopped—at least, the hoaxes did.

In my community, we grew up understanding all that; it was always there. We would see it on the news when I was at school throughout the early '80s. When I left school, I joined the Army and the Royal Green Jackets, which as a regiment probably lost among the most soldiers throughout the troubles. If we put it with The Rifles and the Light Infantry, they would without a doubt have lost more than anybody else. Every single loss of life in that experience is a tragedy.

When I joined, all our instructors at the depot were Northern Ireland veterans—they could not have been instructors without having gone through that—and we knew that, within a few years of passing out from the depot, we would be going to serve in Northern Ireland. Everything was geared around that. Twelve months after getting out of the depot, getting shot and recovering, I went on Northern Ireland training. Unlike my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith), who did not look to enjoy it, I could not wait to go to Northern Ireland. I was looking forward to it and could not wait to serve my country over there.

I had had extensive training; I knew right from wrong; I knew my rules of engagement. I knew, in no uncertain terms, what I could and could not do. I and all my colleagues were tested to breaking point on the ranges in scenarios over and over again for several months. We took the experience from those who had served many times before. I know that quite a few hon. Members served over there. During the process, we were shown what had happened to some of our colleagues who sadly never returned. We saw, in graphic detail, the loss of life from car bombs and murders. We saw videos. We knew that, if it was to go wrong for us, it would really go wrong. We knew what that was like.

When I was deployed, I remember getting to Belfast—we were in big, armoured trucks—and, as I looked out of a gap, I could see what looked like my home area. I saw streets, not a war zone as I had thought. It looked like a normal area. I am not afraid to admit that I was afraid. I was nervous and did not know what to expect. I was a teenager on an operational tour. Most of my colleagues had not been there before—I think that only the corporals and above had—so we were very wary.

Initially, there was a ceasefire, but the Canary Wharf bomb going off at the beginning of 1996 changed what was happening. I was in Drumcree in the summer of 1996 when we stopped the marching, and the whole Province erupted. Several RUC, who were always outstanding in operating with us, were shot. I think that four were shot in one night. There were multiple attacks, with people getting burned out of houses. We were in riot, and we were being full-on attacked left, right and centre. That went on for a long time. After about three or four days, we realised that we had not slept. We were tired. We were exhausted. We were getting bricked and people were getting shot at and petrol-bombed. That was going on and on, but we knew what we could and could not do.

[Stuart Anderson]

We must weigh up how, in that scenario, every one of us had a split second to decide whether the person running round the corner with something in his hand was running away from someone trying to attack him or running towards us to attack us. At that very moment, we held life and death in our hands. If we took action, we took a life. If we did not take action, we died or our colleagues died. We were in that scenario.

I believe that, through all of my operational tours, people acted in the most professional manner. There have been mistakes that have happened, and there has been wrongdoing by people in uniform. That is a stain on what the British Army represents. Those incidents are few and far between, but mistakes happen in the heat of the moment. Things do go wrong. I am 46 years of age, and I sometimes struggle to remember what I did last week, let alone 25 years ago—

Sir Iain Duncan Smith: You're a young man.

Stuart Anderson: I know—my right hon. Friend served the year before I was born—but many people would not remember exactly what happened then. Everyone in my patrol would describe those incidents in a different way. Dragging soldiers through the courts for what has happened is a stain on what we had.

The Good Friday/Belfast agreement was put in place in 1998. I can see why it has taken until now to get to where we are, because there is a lot of talk and there are a lot of reasons—people always have a reason for why something cannot be done—so I take my hat off to the Secretary of State and the Minister of State for getting us here. We have heard that there will not be unanimous support for the Bill. We see that. I look to my colleagues on the Opposition Benches who serve in Northern Ireland. The hon. Member for Belfast East (Gavin Robinson) said that Democratic Unionist party Members do not agree with the Bill and do not support it, but want to make some reasonable changes as it goes through. I understand that this has a different impact on them and their communities. Many of us will be touched by these issues, but DUP Members still live in those communities. It will be decades before there is change. No Bill will change the impact of the lives that were lost or the impact on people who went and served over there. People are never the same afterwards.

I would like to think that I am quite a reasonable person and I tend to measure what I say, but those on the Labour Front Bench have put up one Back-Bench Member to debate the Bill, and I find that an absolute dishonour to this House. I find it an insult.

James Sunderland: Does my hon. Friend agree that the Labour party is the party of the armed forces?

Stuart Anderson: No, I certainly do not. As I said, I am trying to temper my remarks, but Labour is going to vote against the Bill for political reasons. [Interruption.] The hon. Member for Hove (Peter Kyle) turns around to look. There is not one Labour Member there. [Interruption.] There have been a couple, I will give him that, but they could at least put forward an argument for why they are not supporting the Bill, and not just from the Front Bench. Labour Members will be voting against the Bill without having put forward a reasonable

argument and that is completely unacceptable. Words have happened too much in this House; we need to see action now.

Sir Mike Penning: I think my hon. Friend is making the point on his own, but I extend the hand of friendship and emphasise that this is Second Reading. It is plainly obvious that amendments will be tabled in Committee and on Report—we have heard that from across the House—and surely on Second Reading the Opposition could support the Bill and then change it in debate in Committee. It will fundamentally change. There has been no debate from Labour Back Benchers really. This is Second Reading, and we should extend the hand of friendship across the House and agree that we can make amendments later on, but to vote against the Bill now is a slight not only against the victims, but against the veterans who served.

Stuart Anderson: As I wind up, I want to make clear that this is not a personal attack on the hon. Member for Hove. He is here, but nobody else from his party is here and that is not acceptable. They could at least have come and put forward a reasoned argument for why they are not supporting the Bill. I will leave that there. I will be supporting the Bill because it is the right thing to do moving forward.

4.48 pm

Stephen Farry (North Down) (Alliance): At the outset, may I put on record that I think we can all be here in support of UK armed forces but have a different opinion on what is the right thing to do in terms of the legislation? I stand here as someone who wants to restate my support for the work that the armed forces have done in Northern Ireland in the past, where they served with great honour, distinction, integrity and sacrifice, and for the work they are doing in places right around the world at present. All of us are very clearly aware of the huge threats that exist in the international space at present. I want to pass on my thanks and appreciation personally to the hon. Member for Wolverhampton South West (Stuart Anderson) and his colleagues for their service.

Our difficulty is that this debate is based around a false narrative of vexatious investigations and prosecutions that simply does not stack up under scrutiny. As a consequence, we are seeing the production of bad law—indeed, law that will prove to be utterly unworkable in the situation of Northern Ireland. Legacy is by far the most sensitive issue in our political space. There is a real prospect that what is happening with this Bill, including the manner in which it has been handled, will end up re-traumatising victims, because no preparation has been done for what is coming down the tracks. People are seeing the potential prospect—slim though that may be—of justice being snuffed out over their heads. That cuts really deep, to their very sense of being and the slim hope that they have been holding on to.

Of course, the legacy process in Northern Ireland is fragmented and piecemeal. Outcomes are poor, in terms of justice and reconciliation. There have been some notable exceptions where results have been delivered, not least in some of the recent inquests. However, we have the legacy investigations branch of the PSNI, the Police Ombudsman for Northern Ireland, inquests and civil cases, so the need for a comprehensive approach to

legacy is clear. The Bill does not represent that solution. It is unworkable and incompatible with the principles of justice, the rule of law and reconciliation, and it is not compatible with international human rights standards either.

The Stormont House agreement of 2014 represented an agreement between the UK and Irish Governments and most of the Northern Ireland parties. It also has the support of most victims' groups and other stakeholders, but it has never been implemented. It was never even given a chance. When people ask us, "What is the alternative?", the answer is clearly "Stormont House—return to it and give it a chance before you move on to something else."

The Bill is not even consistent with the principles of the Stormont House agreement. Furthermore, it is even a breach of the New Decade, New Approach agreement from as recently as January 2020 under the current Prime Minister. That agreement recommitted the Government to Stormont House—not to a different process. It is there in black and white.

The Bill is not compatible with the UK's obligations under article 2 of the European convention on human rights. There is already very significant case law on requirements around the nature of investigations. The processes set out in the Bill do not, and cannot, provide the necessary independence, effectiveness or rigour, in terms of the interrogation of evidence, to be compliant with article 2. We have had an interesting debate about how that can potentially be addressed. We would have to recognise that a whole range of references to "review" in the Bill need to be stripped out and replaced with "investigation." We are talking about surgery in which, essentially, we would have to select all and replace all, with "review" coming out for "investigation".

I want to reiterate the following point: although we have to keep on the table the prospect of prosecutions happening in what may well be a small minority of cases—people will cling on to that hope—the important point about investigations relates to the rigour of the investigation, the interrogation of evidence and the challenge that actually provides answers for people. That is what they have been looking for, and that is the type of process that has reached results in limited cases so far. That is what an inquest does, for example. However, on paper in this Bill, we do not have that interrogative approach—it is very far away from that. Indeed, given the Bill's failure to uphold the European convention on human rights, we could argue that it breaches the Good Friday agreement.

The Operation Kenova model negates the Government's argument that investigations with full investigatory powers are not viable. Although there have not been any prosecutions, my understanding is that substantial files have been referred to the Public Prosecution Service in relation to that. Again, what is in the Bill is nothing close to what was included in Operation Kenova.

The process around the Bill has been flawed. It is a top-down imposition that does not reflect co-design with the key stakeholders. Indeed, there was no meaningful engagement with Northern Ireland political parties or other stakeholders on the Bill. That includes the Northern Ireland Human Rights Commission.

The Bill is driven by a narrative from the Government, and the Conservative party more widely, based on vexatious claims and investigations against veterans. That does

not stack up. Ministers cannot, and will not, cite examples of what they mean by "vexatious"; they have had plenty of opportunity to do so but they have never taken that up. Indeed, the Northern Ireland criminal justice system is rigorous. It has a high bar for what is pursued through the courts and it self-polices any vexatious cases. Anyone who claims that there are vexatious claims in the system is attacking and undermining the existing criminal justice system.

It is also worth bearing in mind that the Bill is opposed by virtually every victims' group in Northern Ireland, which raises the question: on whose behalf is it being passed? The groups opposing the Bill include Amnesty International, the Committee on the Administration of Justice, Relatives for Justice, South East Fermanagh Foundation, the Pat Finucane Centre, WAVE and the Commission for Victims and Survivors for Northern Ireland. The Northern Ireland Human Rights Commission says that

"this Bill is substantially, in fact almost certainly fatally, flawed."

The Irish Government are supposed to be a partner in the process and in managing the Good Friday agreement, but have not been part of this phase of the legacy deliberations. They, too, see the Bill as unworkable and as incompatible with article 2 of the convention.

Furthermore, much of the Bill relates to matters that are essentially in the devolved space of Northern Ireland. The original understanding behind Stormont House was that the UK Parliament would pass legislation covering both UK responsibilities and Northern Ireland responsibilities on a hybrid basis, with the active consent of the Assembly; that was the only tactical way of getting the comprehensive package through. As things stand, however, the Government are openly working outside the Sewel convention on this most sensitive area.

Contrary to the dominant narrative that veterans support the Bill, it is important that we recognise that views are at least mixed, particularly among former Army and police personnel based in Northern Ireland. The vast majority believe in the primacy of the rule of law; they believe that the very small minority of their colleagues who have potentially broken the law should be held accountable. The Bill risks drawing a false equivalence between them and the terrorists, with special measures having to be put in place when there is no need for any protection to be given that sullies anyone's service. For someone who may have invested 30 or 40 years of their life in protecting the community, that twisting of the narrative behind the nature of their service will cut very deep.

The Bill will grant the Secretary of State direct control over the establishment and operation of all the proposed mechanisms, undermining the independence of actors. That is particularly problematic when the state is one of those actors. The powers to compel testimony are weak, suggesting that there will not be the capacity to conduct effective investigations. The functions are weighted towards reviews rather than investigations, the bar for re-examining previous investigations is high, and the conditional immunity approach amounts to a *de facto* amnesty.

A false equivalence has been drawn with what happened with the early release of prisoners, with decommissioning and with victims' remains. I was deeply uncomfortable with the early release of prisoners, which was a part of the agreement that I did not find particularly tasteful, but it is important to recognise that anyone subject to

[Stephen Farry]

early release was out on licence and could be recalled in the event of another offence. With victims' remains and decommissioning, there was immunity only where evidence led to the discovery of remains or the handover of guns; there was no broad immunity for the people responsible. It is important to set out that context.

In the rare cases where immunity is not granted—I stress that it is a very subjective process—there is still only a technical risk of prosecution, because who else will do the investigation? All other routes are being shut down. There is a very real danger that people will simply choose to wait out the conclusion of the new body's work, so there will be a blanket amnesty by default.

Amnesties are increasingly regarded as problematic in post-conflict situations around the world, so the Government are going against the trend. Amnesties are particularly problematic in the context of the ECHR framework; the *Marguš v. Croatia* case is especially relevant in that regard. The lessons are very clear: for any amnesty to be even remotely tenable, it would need either to be part of the peace agreement itself or to be agreed across the political parties. Neither of those tests has been met.

I am conscious that I am running out of time, but I make a couple more comments in conclusion. There are major concerns about shutting down civil cases and inquests, particularly as the last Lord Chief Justice and the present Lady Chief Justice have been working through a programme in which different inquests have been scheduled in a different order, so there is a risk that inquests will be completed for certain families but snuffed out for others.

The proposals relating to oral history, memorials and academic research are also centrally controlled, and are being used to give a reconciliation veneer to what is actually being done. Reconciliation is at the heart of the DNA of my party, but it cannot be done from the top down: people cannot be told to reconcile. It has to be done in an organic way, but that is not going to happen.

Let me make a final comment about process. I believe that the Bill is irredeemable and fatally flawed, which is why I will be opposing it. However, even if the Government offer to amend it, a Committee of the whole House over two days will not give us enough space for proper consideration of any amendments. That belies any genuine attempt to fix any of the problems.

5 pm

James Sunderland (Bracknell) (Con): Thank you for calling me for the graveyard shift, Mr Deputy Speaker.

There has been plenty of passion and emotion in this important debate, but I want to give my view, as a relatively new Member and, I hope, a pragmatist. Today is about the past, the present and the future, and it is about people, many of whom were terribly caught up in the troubles. It is already clear that the Bill will not be a panacea—far from it—but it does have defined outcomes that I believe to be broadly positive, for reasons that I shall explain. No one will pretend that this is at all easy, or that it is a formality.

Let me begin by commending the Secretary of State and his staff in the Northern Ireland Office for acting in good faith throughout. This process is very difficult legally,

and very sensitive politically. It has required strategic patience and huge personal and professional resilience under pressure. Ultimately the Bill is a no-win statute, because it will not bring people back, and it will not bring solace to victims and their families, in that those whom we should be holding to account may now never be brought to justice. However, I believe that it will ultimately provide some solace and some closure, although not a lot. Despite all its imperfections, I believe that it will do what it says on the tin, as the least worst option.

This legislation has done the rounds. It has been through the Irish Government, veterans groups and victims groups, and it is probably the missing chapter of the Good Friday agreement of 24 years ago. It therefore comes as no surprise to anyone. It has, I believe, received due diligence. It has taken longer than expected, and yes, the Northern Ireland Office has received criticism—not least from Conservative Members—for the strategic pause that has been necessary, but it was a manifesto promise, it was in the Queen's Speech, and it is finally being delivered. It is now deliverable as well, but it is also a heavy responsibility for the Government.

What I want to say about the Bill relates first to veterans, veterans groups and those who may still be serving. Do I think that the Bill is the right way to protect veterans from vexatious complaints? The simple answer is yes. Why? Because it breaks the cycle. It ends the misery, and it ends the knocks on the door at 3 o'clock in the morning. We owe it to these people, who served in good faith in Northern Ireland. I commend the good work of my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer) and my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith), and the work of so many veterans groups. This has gone on for too long, and it needs to be killed now.

Of course, it is not possible to deliver legacy protection for veterans in isolation. It has to be able to withstand legal challenge. It has to be article 2 compliant. It has to get through Strasbourg and comply with the Human Rights Act. The principle of legal equivalence underpins that statute because it has to, and therefore the premise of conditional amnesty is rightly pivotal. It was right to move away from the original premise of what might be termed “new and compelling evidence”. Who decides that, and how does one draw the line in law? It is impossible: the bottom line is that one cannot. I therefore understand the logic of why a blanket statute of limitations has been introduced, and I think that is now the right thing to do.

What does the Bill actually do? We know that it establishes the independent commission for reconciliation and information recovery. In theory, it creates an environment of openness, which may give answers and some closure, but I appreciate the flaws in the argument. It will grant immunity from prosecution to those who engage with the commission. The important point is that legal equivalence does not mean moral equivalence, so it is absolutely right that conditional amnesty is dependent on engagement. The Bill will end troubles-based criminal investigations and protracted legal proceedings, which is the right thing to do, and it should mean the commissioning of a record of every troubles-related death from the ICRIR. The list goes on.

However, in the interests of balance, I should point out that the PSNI currently has a caseload of at least 900 unsolved cases. Op Kenova, which was mentioned

earlier, has unfinished business for many, and victims and families will not get the resolution they seek. I am also acutely conscious of the concerns of those who believe that protagonists just will not engage. In my view, we have to give this a chance. It is important that we do that.

The Bill is divisive, as we have heard today, and we have to go forward as carefully as we can, mindful of the particular sensitivity of victims' families. That is a given. But the time is now 24 years on from the Good Friday agreement, and we have no choice. We have to deliver on the promise that was made, not least to our veterans. Personally, I am bewildered and disappointed by Labour's decision not to be in the Chamber today and to vote against the Bill. In addition to doing the right thing for our security services and our veterans, the Bill is ultimately about national politics, not party politics, and I hope that my colleagues on the Opposition Benches will do the right thing this afternoon.

Stuart Anderson: I certainly laboured that point, but it is a point that really needs labouring. Does my hon. Friend agree that Labour is not the party of veterans, and that its action tonight will be seen across the veteran community?

James Sunderland: My personal view is that we have to show the requisite support to our veterans, our armed forces and our security services. Today is ultimately about two things. It is about drawing a line under vexatious complaints and about hoping that Northern Ireland can emerge into a peaceful and prosperous future. I very much hope that that happens.

5.6 pm

Ian Paisley (North Antrim) (DUP): We have heard a number of helpful and interesting contributions on what is a difficult subject. The right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith) made an important and interesting point when he identified that there should be significant amendments to the Bill. Those amendments, if carried in the way he suggested, would change what the Bill does, and we look forward to them in hope and in expectation, because change to this Bill is necessary. Many Members representing all types of constituencies in Northern Ireland and all parties across this House have rightly stated that they are opposed to it. It has failed the Northern Ireland test of getting any sense of consensus whatsoever, and it is important that that is placed on record.

It is disappointing that Labour Members have not contributed to this debate in the way that we would have expected them to do, given that it was in 1998 that the genie was let out of the bottle when all terrorist prisoners were released from jail. That set on course a series of events that has told us that justice in Northern Ireland will be served up very differently for everyone. It is important that people recognise that, since 1998, we have been served a catalogue of abuse to the justice process. Let us consider the letters of comfort that were secretly issued, and the on-the-run processes, which were a total disgrace.

These events have even been characterised in the recent series "Derry Girls". I watched with interest the other evening as two characters fell out with each other over the release of prisoners. They came from the same

tradition and similar families but they fell out because, as one of them said, "Your brother committed murder and he shouldn't be let out." That is how it affected all families in Northern Ireland—Protestant and Catholic, across the divide. It was appalling. Even the hon. Member for North Down (Stephen Farry), who supported the Belfast Agreement, has indicated today how that jarred with him. It is important that hon. Members recognise that the genie being let out of the bottle then is how we got here today with this legislation, which says, "If we can do it once, we can do it again. We can undermine the rule of law again, because we did it once." Perhaps that is why the Labour Benches are empty today—because it is unsatisfactory for Labour Members to stand on their moral high horse and read a lecture about the morality or immorality of this. Maybe the finger is pointing back at them and what they did in 1998 has finally come home to roost. That is an important point.

I mentioned earlier the case of Rita O'Hare, who tried to kill a soldier called Frazer Paton in Belfast 51 years ago. She evaded justice when she was given bail. She fled to the Irish Republic and went on the run. She got a job in the United States of America, where she has been Sinn Féin's director of publicity since the 1980s. She cannot come back to Northern Ireland because of an outstanding warrant, but under this Bill she gets off the hook. What is she going to do—read a little story to an inquiry tribunal and tell it what actually happened? She will never serve a day in jail for attempted murder, she will never serve a day in jail for possessing the murder weapon and she will never serve a day in jail for maliciously wounding a soldier, all because of this piece of legislation. We need to call it out for those reasons.

On Sunday I had the privilege of standing in Ballymena Memorial Park as we unveiled a memorial to the Royal Ulster Constabulary George Cross Foundation. As we stood and listened to the names of the fallen from County Antrim, as tears fell on widows' cheeks and as orphans and colleagues of the fallen stood around the memorial, it was obvious that this legislation is not a *crime de coeur* that no one will be left behind, as some hon. Members would have us believe. The RUC will be left behind and the victims will be left behind.

The hon. Member for Foyle (Colum Eastwood) rightly said that not a single victims group, not a single party—for different reasons—and not a single rights group in Northern Ireland, including the Northern Ireland Human Rights Commission, accepts that the Bill is compliant with article 2 of the European convention on human rights. Some hon. Members go to the Parliamentary Assembly of the Council of Europe on behalf of the House to uphold the European convention on human rights, and we chide Russia for breaking it, yet we are putting legislation through the House that contravenes the convention because it is not article 2 compliant.

It is perverse when we hear hon. Members calling in this House for war crimes to be identified and for people to be brought to justice in another part of Europe, because there is an attempt to conceal and forget war crimes here in the United Kingdom. Veterans have been fed an unfair diet this afternoon with the idea that the Bill will be very good for them, but it will not be. They are getting a crumb off the table, and that crumb is blue-moulded and will not taste very good because, instead of veterans being able to hold their head high and walk tall and proud for the great service they gave to our nation in

[Ian Paisley]

Northern Ireland, this legislation marks them out as getting some sort of dodgy special deal, like 1998 all over again. It does not do them the justice to which they are entitled, and it does not exonerate them in the way they should be.

For many years, hon. Members on both sides of the House campaigned for justice for the victims of Libyan-sponsored terrorism in Northern Ireland. The next time I hear an hon. Member say they want to see justice for victims across the United Kingdom who suffered due to Libyan-sponsored explosives in the hands of the IRA, I will take a double look, because this Bill stops that in its tracks.

My constituent Billy O’Flaherty, a police officer, lost his limbs in Ballymena because of a Libyan-sponsored bomb in the hands of the IRA. I have to go and tell him tonight that, as a result of this Bill, he is never going to get justice. He is never going to see the people who tried to murder him and who murdered his colleague on the same day put behind bars. The Bill will not get us to a point of justice.

If anyone in this House honestly thinks that somehow terrorists are going to walk into a review process and ‘fess up to all the bad things they did and that it will all be forgotten, they are absolutely wrong. This is not about reconciliation. It was wrong to call this reconciliation because it will not reconcile the differences; it will drive a stake between people and leave communities—not a community—in Northern Ireland feeling let down once again.

5.15 pm

Scott Benton (Blackpool South) (Con): I commend my right hon. Friend the Secretary of State for Northern Ireland for introducing the Bill. Governments and Secretaries of State of all colours in the past 20-plus years have grappled with the incredibly difficult question of how to provide better outcomes for victims and survivors of the troubles. This has been fraught with political, legal and moral hurdles, many of which have often been considered insurmountable. So my right hon. Friend deserves immense credit for grasping the nettle and introducing the proposals when previous Governments have all concluded that the easiest thing to do was simply to do nothing. There has long been broad agreement across Northern Ireland that the current system for addressing the legacy of the troubles simply does not work. Victims, survivors and their families have waited far too long for answers and, in order to allow Northern Ireland and its people to look towards the future, the Government are right in bringing forward this Bill.

The years of the troubles were an awful period in the history of our United Kingdom, with tragic loss of life and severe injuries inflicted on thousands of people, but it should always be remembered at this point that 90% of the deaths in the troubles were deliberate killings by terrorists who set out to inflict untold misery in pursuit of their perverse political agenda. Being in my early 30s, I am of course not old enough to remember the worst of the troubles, but I do recall the signing of the Belfast agreement. The agreement has stood the test of time and laid the foundations for peace and security in Northern Ireland over the past 20 years. However, it

came at a tremendous cost. In 1998 the prison gates were opened and terrorists guilty of horrific crimes were released without fully serving their sentences.

One can only imagine the tremendous anger, distress and upset that this must have caused, not just to the victims and their families but to those communities who were devastated by the barbaric actions of terrorist groups such as the IRA. This, alongside the on-the-run letters, was a complete corruption of justice. Some Members of the House opposed the Belfast agreement at the time, for this reason and many others, and it is easy to see why. However, we cannot look backwards; we must try to deal with the present and move Northern Ireland forward to protect the peace process and create prosperity, and we must do so while seeking to provide some form of closure to victims and families who are understandably still hurting.

Victims of wrongdoing should always have access to justice for the atrocities committed during the troubles, but the harsh reality is that these crimes occurred many decades ago and the likelihood of successful prosecutions diminishes with every passing day, as we have seen with the recent collapse of several trials. It is obvious that the current system is failing. It delivers neither truth nor justice for the vast majority of families. The emphasis that the Bill places on information recovery will help many families who have waited far too long for answers and may help to bring about some closure for the events of the past. The process will allow us to see more information than ever before on the circumstances of many crimes that resulted in horrific injuries and families losing loved ones.

The process will also provide certainty to those veterans who have for far too long faced the threat of reinvestigation, which has, in a number of cases, destroyed the final decades of their lives and inflicted great anguish and pain on their lives and those of their loved ones. It is absolutely appalling that veterans have been subjected to suspicion and have had to live their lives in fear of prosecution for so many years. By ending the cycle of vexatious criminal investigations and protracted legal proceedings, we will finally deliver on our manifesto commitment to protect veterans. That will be warmly welcomed by my constituents in Blackpool.

I am pleased that the Government have listened to concerns about automatic access to immunity and that it will now be granted on the basis of an individual’s co-operation with the commission’s inquiries and acknowledgement of their role in troubles-related incidents. The Bill will give veterans the certainty and finality that they deserve but, of course, leaves the door open to the prosecution of those who do not co-operate or share information with the commission.

I welcome the proposal to include an oral history initiative, which would create opportunities for people to share their experiences of and perspectives on the troubles. Such an initiative needs to be handled with the utmost care and sensitivity. There can never, under any circumstances, be a moral equivalence between those who perpetrated violence and those who tried to bring it to an end. An oral history archive must never be used to rewrite history from the perspective of those republicans who inflicted so much misery on their innocent victims and on the people of Northern Ireland as a whole. We must never agree to a version of history that seeks to legitimise the indiscriminate and barbaric actions of terrorists such as the IRA.

Simon Hoare: Does my hon. Friend agree that, as important as such an initiative is, we must make sure that it is not twisted by either side to become a recruiting sergeant for future years?

Scott Benton: I agree with my hon. Friend's point. It of course needs to be fair, balanced and proportionate and give an accurate account of events. It is important that it is not whitewashed by either community.

It is extremely disappointing that the Labour party will oppose this legislation this evening. The fact that I can see just one Labour Member in their place on the Opposition Benches—

Simon Hoare: There are two.

Scott Benton: I beg the House's pardon—there are two. But that says it all. In opposing this legislation, the Labour party will allow the continued harassment of our brave servicemen, seeing them dragged through the courts with unsubstantiated claims, causing pain and misery for their families. I suspect that the reason why very few Labour Members are in their place is that they see straight through the ridiculous reason given by Opposition Front Benchers for opposing Second Reading: a tenuous argument about their objection to the so-called conditional amnesty. I am afraid it was the Labour Government who opened the floodgates to release dozens of terrorists two decades ago.

I am pleased to support the Bill and wish to go on the record again as thanking the Secretary of State and the Minister of State for their brilliant work and for having the guts to bring this Bill to the House.

5.24 pm

Mr Gregory Campbell (East Londonderry) (DUP): I rise, like many of my colleagues did, to explain my opposition to the Bill as it currently stands. As has been explained by several of them, the issue here is about justice and truth. This year, 2022, is the 50th anniversary of the worst year of the troubles in Northern Ireland. In 1972, almost 500 people died as a result of the troubles, as we euphemistically call the period.

Just before Christmas last year, I went to an innocent victims' group and asked them to organise an event that would commemorate that 50th anniversary, and they gladly did so. I and some of my colleagues attended the event in St Columba's cathedral in Londonderry just a couple of months ago. The reason that I did that, and many of the other things that have occurred, is that there has been a tendency throughout the troubles and since their ending—hopefully for good—to equate perpetrators with victims. Unfortunately, we can trace that back to what happened after 1994.

Very often in this House and outside, people talk about peace dropping slowly in 1998. In fact, what happened was that, in 1994, the main perpetrators, but by no means the only perpetrators, were the Provisional IRA. Riddled with informers, it decided to call a halt to activities, and the loyalist paramilitaries, who were also engaged in killing, followed suit.

There were then discussions and negotiations for a period of years, resulting in the Belfast agreement, which at that stage legitimised terror—I am glad that some Members have conceded that point. It brought terror

into the heart of our political democracy. That is what happened in 1998. People might resile from that and may not like that being said, but that is what happened. We cannot turn the clock back; we are where we are now. I sympathise totally with the Government, as they are in a very difficult position, having to deal with the issue of legacy in a way that will bring comfort, succour and support to those on all sides. That will be almost impossible. Whatever they do, the job will be almost impossible.

Bob Stewart (Beckenham) (Con): I thank my good and hon. Friend for allowing me to intervene. Does he agree that, in 1994, the Provisional IRA was substantially defeated and that the reason why 1998 occurred is that the Provisional IRA realised that all was lost militarily?

Mr Campbell: I thank my right hon. Friend and colleague and say that there is a substantial degree of accuracy in his observation. We have seen the outworking of that over the past five or six years.

Let me come back to those on the Front Bench. They are in an invidious position. Many people in Northern Ireland accept the difficulties that the Government are faced with. I do not meet many innocent victims who realistically hold out the prospect for a successful prosecution and limited jail term for the people who carried out the atrocities against their loved ones. I meet very, very few who say that. Most of them say that there is a limited possibility—a minuscule possibility—that they will receive justice. But what they do say is, "Don't extinguish it. Don't put it out for ever and a day." And that is what this Bill does—extinguishes that possibility for ever and a day. Justice is gone—finished—and never coming back.

That is why the Government must listen to reasoned amendments to make this Bill less unacceptable than it currently is, because I do not think that there will be an acceptable Bill that will command support across the victims' divide, and across the political divide. None the less, we could, if the Government were open to reasoned amendments, retain the possibility of justice if new evidence emerges—if it does emerge. Victims want to know that their loved one did not die in vain.

Simon Hoare: Does the hon. Gentleman therefore agree that the timetable envisaged in the programme motion is woefully inadequate to have a proper debate on those reasoned amendments and to try to address the concerns that he and his colleagues have raised in this debate?

Mr Campbell: I thank my hon. Friend, the Chair of the Northern Ireland Affairs Committee, for that observation. We are in danger of agreeing too much today, but I do agree with what he has just said. Maybe the proposed Bill has done some good.

In all seriousness, however, the Secretary of State made the comment, which I see is now headlining on BBC News, that there is a diminishing possibility of prosecutions. We understand that, but a diminishing possibility is not the same as extinguishing the possibility. That is the difference we must maintain.

I agree and believe that truth recovery can contribute towards people's moving on and accepting that what is done is done. While they would like to see justice, and still hold out the hope that they might, if they got more

[Mr Gregory Campbell]

information and knowledge about what happened to their loved ones, it would at least bring them some comfort.

A number of people have alluded to the case of a person I knew very slightly, the late Patsy Gillespie. He was what was called a human bomb, strapped into his own van and instructed to drive into an Army camp in Londonderry. The van was exploded, with him and five innocent soldiers also paying the price for the depravity organised by the late Martin McGuinness, who was the second-in-command of the Provisional IRA at the time.

I have an affinity with Patsy Gillespie, because he was an MOD employee on one side of the river, and I was an MOD employee on the other side. Likewise, I have an affinity with two of the three former Members whose plaques are above the door of this Chamber. They died as the result of under-car booby-traps. My family—my wife and two young children, one of them only four months old—were victims of an under-car booby-trap device; thanks to almighty God, it fell off before exploding and killing a man, a woman and two innocent children.

Let us do work with this Bill and try to improve it considerably. As it currently stands, it is totally and utterly unacceptable.

5.32 pm

Jerome Mayhew (Broadland) (Con): For far too long, for my life and beyond, Northern Ireland, the Republic and Great Britain have been scarred by the legacy of violence. History has been politicised and the truth has too often remained hidden.

The damage is not historical. It continues. For families desperate to know the truth about what happened to their loved ones, the current adversarial litigation system is an abject failure. We need only look at the success rates: despite decades of information gathering and hundreds of millions of pounds spent in legal aid, it has been overwhelmingly unsuccessful in bringing prosecutions and even less successful in securing convictions.

We have talked a lot this evening about justice—the hope of justice, access to justice, the rule of law—but justice is only a word unless it brings results. With the passage of time and the complexities of Northern Ireland, I am afraid that justice has become just that—a word. The only winners are the lawyers.

The system is failing communities, who are unable to have their experiences of the troubles properly heard and recorded. Feelings of isolation, disempowerment and conflict persist. And yes, the system is failing veterans, who, despite the near-universal failure of litigation, continue to live under its threatening shadow into their 70s and 80s. We have heard from my right hon. Friend the Member for New Forest East (Dr Lewis) that the process of litigation, not the result, has now become the punishment.

All those people have been and continue to be failed by the current system, so for my part I welcome the Government's proposals to end adversarial legal proceedings as the route to truth finding. An independent commission for reconciliation and information recovery does have the potential to be more effective and will rightly focus on all deaths and serious injuries, not just those brought

into the litigation process—too often as a mechanism for extending division rather than achieving resolution and reconciliation. We need to remember in this House that of the 3,500 people who have been killed in the troubles, 370 were killed by members of the security services. Overwhelmingly, it is the evidence of former terrorists—republican and Unionist—that the families and others so desperately need to hear.

For reconciliation to take place, the truth must be supplied by every actor in this tragedy. The UK Government will provide a statutory requirement for state bodies to provide full disclosure to the commission, and I welcome that, but that transparency and openness need to be the approach of all actors, not just of the United Kingdom Government.

Linking engagement and co-operation with the commission to the possibility of immunity from prosecution could create an important incentive to unlock some of the shameful untold stories of the troubles, each one of which has the potential to provide answers to a grieving family. However, I also recognise the suggestion, in the speech of my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith), that there may be an opportunity to improve the Bill by making full prosecution the alternative to not co-operating. We should properly explore that as we seek to improve the Bill.

The same approach must also be adopted by the Irish Government. Last year they made a commitment to establishing their own information recovery scheme, but what has happened to that? Families deserve to know the truth about what happened south of the border just as much as north of it. Imperfect as the Bill may be, I still welcome it. I hope that the initial positioning in response to its publication quickly gives way to collaborative working towards a shared vision that inspires it. My greatest concern relates to the consultation process prior to the Bill's publication. I hope that the ministerial team will engage fully with Members in this House across the divide and take on board their feedback during the legislative process.

As we have heard time and again today, the status quo is broken. I commend the Government for grasping this nettle. I hope that we work collectively to improve this Bill in Committee.

Claire Hanna (Belfast South) (SDLP) *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): I call Jim Shannon.

5.37 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate; I thought the hon. Member for Belfast South (Claire Hanna) was going to get in ahead of me there. I would have been pleased if she had, by the way, but today it will be the other way around.

First, I declare an interest as a former member, for three years, of the Ulster Defence Regiment and of the Territorial Army for 11 and a half years—14 and a half years in total. I believe that this Bill is very important. I have a number of issues with its details, such as the fact that clause 37 appears to allow cases already in the pipeline, such as current cases against soldiers and others, to continue. That defeats the supposed purpose of the Bill. It means that any investigations being undertaken

need only the Public Prosecution Service to signal an intent to charge and they will be exempt. I am anxious to understand how that would stop a repeat of what happened with Soldier F through a case that could already be in the system.

I have issues with the detail, such as the fact that general and specific immunity are not explained fully and would appear to lend themselves to other uses. I have problems with other details of the Bill; my hon. Friend the Member for Belfast East (Gavin Robinson), as we have come to expect, queried and posed the questions with a greater ability than mine.

The right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith), who is not here, referred to his friend Robert Nairac, who died; the right hon. Gentleman served with him and that has been on his heart.

Sir Mike Penning: As my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) said earlier, we think that Captain Nairac died on 15 May. We do not know. There are people who know where his remains are; when I was a Northern Ireland Office Minister, people north and south of the border told me that they knew. Perhaps we might find the truth for my captain of C company, 1st Battalion the Grenadiers.

Jim Shannon: The right hon. Gentleman clearly outlines that he was a friend of Captain Robert Nairac, and we all understand that; the right hon. and gallant Member for Beckenham (Bob Stewart) was too.

Sir Mike Penning: I do not want the House to be misled. I was a guardsman; Captain Nairac was a captain, and in the Guards you know your position in life. However, I did spar with him in the gym a few times and gave him a couple of good digs.

Jim Shannon: The right hon. Gentleman and Captain Nairac served together, and that is the important thing to put on the record.

I want to put something from a different point of view and to speak about the victims. In the middle of all this debate—my hon. Friend the Member for East Londonderry (Mr Campbell) referred to it—it is important to focus on that. I do not want to speak as Jim Shannon the Member of Parliament for Strangford; I want to speak as the cousin of Kenneth Smyth.

Gavin Robinson: It is important for the House to recognise that sometimes politicians talk about how powerfully these things affect us, but it is fair to say that from my hon. Friend's contributions throughout the years he has brought a great deal of personal empathy and emotion to these issues. I make that intervention, and I will talk perhaps longer than you would normally permit in an intervention, Madam Deputy Speaker, and I will look for a nod from my hon. Friend whenever the time is appropriate—

Madam Deputy Speaker (Dame Rosie Winterton): Order. If the hon. Member for Strangford (Jim Shannon) would like me to come back to him after the hon. Member for Belfast South (Claire Hanna), I am happy to do that if at any point that is what he feels.

Jim Shannon: Thank you. My brother William and I used to go down to my cousin Kenneth's back in the '60s. My cousin Kenneth was the one who took us shooting. We were introduced to country sports at a very early age, and it is something that I love today. I have introduced my son and my grandchild to it, as well. It is something that he instilled in us. They were different days in the '60s than they are today and they were in the troubles. I thank my hon. Friend the Member for Belfast East for intervening—I should have said that right away. I remember those days with a real fondness.

Kenneth Smyth and his Roman Catholic friend Daniel McCormick were murdered on 10 December 1971, some 50 and a half years ago. I remember that day like it was yesterday, and probably always will. I know it affected all our family up in Clady and Strabane, where we lived. Clady is a wee village outside Strabane. We have absolutely no doubt that the people who were involved in the murder of Kenneth and Daniel McCormick came from or were associated with that village. I could name the names, but I am not going to do so here. I do not think that it is important to do so, but I do feel that hurt.

Daniel McCormick left a wife and three young children. She got £3,500 from the Northern Ireland Office as compensation for the loss of her husband and the father to her children. How does that give us justice? It does not give me justice, and I do not think it gives anyone in this House justice. What I see unfortunately is legislation that does not take into consideration my position as a victim or that of Daniel McCormick's wife and family.

The family dispersed almost immediately within months. My cousin Joseph went to America, where he has been all his life, with Mariam his wife and the children they have had. My aunt Isobel sold the farm. My grandmother grieved, as did my grandfather. My grandfather died of a broken heart. That is the story of the victims, whom we do not hear much about—but we should, because that is what is really important and that is what I want to talk about.

I want to talk about the four from the Ulster Defence Regiment killed in Ballyduggan. I speak as a man who loved a chat with John Birch, who was born in Ballywalter and was one of the Ballyduggan Four. I was not there, but I was aware and was around at the time he was born. I remember Steven Smart from Newtownards very well. His dad Sammy and I were best mates and good friends. There was also Michael Adams, who worked in a butcher's shop while I had the business and I knew him from there. He always knew that he was going to be a soldier and he joined the Territorials, which I was in at that time. I remember that well. Again, I had to fight back the tears when I learned that a 1,000-lb bomb at Ballyduggan took his life and the life of Lance Corporal John Bradley, whose widow I spoke to recently. No one was ever held accountable for those victims. The IRA did that and got away. Members will understand what my hon. Friend the Member for East Londonderry said—if there is even a smidgen of possibility of holding them accountable, I want that for my constituents and for the victims I am speaking about.

I am the MP for the son of young John Birch, who came to see me and told me about the grandchildren who his dad would meet only in the next world. He asked me whether he could ever expect to learn who carried out the atrocity that robbed him of his childhood

[Jim Shannon]

and his role model on that fateful day, 9 April some 32 years ago. This Bill does not give those four victims or their families and children justice, and it does not deliver for them, and I feel incredibly annoyed.

Stuart Montgomery—I knew his dad, Billy, very well; we were friends for many years—was two weeks out of the police training college and was killed by a bomb at Pomeroy along with another police constable. Nobody was ever held accountable. Justice? Not in this Bill. Not for Stuart Montgomery, and not for the others.

I mentioned Lexie Cummings earlier, who was shot by an IRA man when he was having lunch in his wee Mini car in Strabane. He was a member of the UDR. They got the fella, by the way, but the boys made a slight mistake in the summons that meant that when he came to court in Omagh it had to be rewritten. In that time, he got out of the court and on a bike and cleared off across the border. My hon. Friend the Member for East Londonderry knows the story only too well. That guy is now a prominent politician with a Republican party in Donegal, so Members will understand why I feel sore and aggrieved.

Johnny Mercer: I have huge affection for the hon. Gentleman. I can see the emotion and the anguish written all over his face as he talks of his friends who have been victims in the conflict. He wants that 1% or 2% chance of justice, but I ask him with all humility, at what cost? I know that he also feels that aspects of the process are deeply unfair, so at what cost do we keep going down that rabbit hole to get the answers that I know he authentically, genuinely wants to find, but that some Conservative Members feel cannot be found?

Jim Shannon: There is no price on justice. I am trying, perhaps haphazardly and not with the focus that I should, to put forward the case on behalf of the victims and to explain why the Bill does not deliver that. The seven people I have mentioned—the four UDR men, my cousin Kenneth, Daniel McCormick and Stuart Montgomery—served this country and wore the uniform that the hon. Gentleman wore. They do not have justice, and I feel annoyed.

I will mention some other examples. Abercorn was an IRA atrocity against innocents who were brutalised, murdered or maimed forever. In the Darkley Hall massacre, people who were worshipping God were murdered. Lastly, I think of La Mon because it is in my constituency. Other hon. Members have spoken well and encapsulated what I am trying to say in my raw broken form. People were burned alive in La Mon. They were members of the collie kennel club—they were not soldiers—but they were murdered, brutalised, destroyed. Their lives were changed forever. I remember that day well. Where is the justice for those victims in this legislation? I do not see it and it grieves me to think about it. The IRA commander who was in charge and responsible for the bomb at La Mon was a prominent member of Sinn Féin. He happens to be semi-retired, but he is still there.

I speak as someone who has watched investigation after investigation seem to focus on one narrative or one viewpoint—focused on 10% of the atrocities, and leaving the 90% wondering why their pain and sorrow meant less. I tell you what: the pain for my constituents is no

less than anybody else's pain, nor is mine either. Who has heard the cry of the ex-RUC, the ex-UDR or the ex-prison officer who has been re-traumatised by investigations designed specifically to pursue them by republicans to justify the atrocities that were carried out? I speak as someone who understands very well the frustration of the ex-soldiers being called to discuss an event of 50 years ago, when they cannot remember their shopping list for last week. I understand that—I understand it very well.

I speak as someone in this Chamber who has lived through the troubles, and who has intimate knowledge of the pain and despair caused to so many in Northern Ireland, regardless of their religion or political affiliation. My cousin Kenneth served alongside his Roman Catholic friend—they were best friends; one was in the UDR and one had left—and the IRA killed more Roman Catholics in Northern Ireland than anybody else. So we understand the victims, given the way we feel, the pain and soreness we have, and how we are with the things in front of us. I believe this gives me the right to speak in the Chamber with some authority when I say that this Bill does not achieve its aims.

This Bill does not deliver justice, and it does not answer the anguish or grief of the families I speak for or whom I want to speak about. It does not draw a line under current cases. It does not offer justice to my cousin Shelley Gilfillan, whom my right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson) knows extremely well. She is involved with a victims group up in West Tyrone. She has mourned her brother for 50 and a half years, as have so many others because their cases do not have a live investigation or a firm suspect who can be asked to give information in lieu of immunity. Those murderers are well covered with their on-the-run letters. The gunman who killed Lexie Cummings had an on-the-run letter, and he got across the border and had a new life. Lexie never had a life after he was murdered in Strabane all those years ago. So the House can understand why I just feel a wee bit angry and a wee bit annoyed on behalf of my constituents, and it is because of how they feel that this legislation, for them, does not deliver what it should.

Bob Stewart: I thank my hon. Friend for giving way, and I am sick in the stomach that murderers are apparently going to get away with it as a result of this Bill. It really is the fly in the ointment of this Bill. It is an imperfect Bill—I fundamentally feel it is wrong that murderers get away with it—but I honestly now feel that we have little choice, much as it makes me puke.

Jim Shannon: I think we all like the hon. Gentleman—I probably love him; it is not a secret. I think he is a great gentleman, and I understand and respect his honesty. I have to say that we have to disagree on this. The hon. Gentleman will, I hope, understand my point of view.

I want to conclude, and I am sorry, Madam Deputy Speaker, that I have gone on a wee bit. I apologise for going over the time. I thank Ministers for seeking to give a platform for us to move forward, which I think they have, but they have not done it right. I know that in life things are not perfect all the time and we do not always get things the way we want them, but I think in this Bill we get imperfection, and imperfection rules. Therefore, on behalf of my constituents and on behalf of my family, who still grieve, I urge greater engagement

with individual victims, and I urge that better legislation—not this legislation before us, but better legislation—be put forward that puts the victim at its heart and addresses the aim to prevent the current attempts to rewrite history by painting the guilty as warriors for justice against an oppressive state.

That is my opinion of the Bill, and I believe it is the opinion of many on this side of the Chamber. There are many on this side of the Chamber—I am very pleased to see the hon. Member for Barnsley Central (Dan Jarvis) in his place—who have served in uniform, and we should not decry people, and there are such people here, who do the same.

In my opinion, this Bill achieves neither of those goals, and with that in mind, I will always speak up, as I always have, for the victims. Raymond McCord is no longer here, but I will always speak up for Raymond McCord as well. I will speak up for all those people who have lost loved ones and who grieve—grievously—for those who have passed away, even though it may be 50 years ago, 32 years ago, 20 years ago or longer, because that is what this is about. This legislation does not satisfy my constituents and it does not satisfy my family, and we want justice. I want that wee light of justice. I know that when I burn the rubbish at home, there is a wee light when I light the match and it does not seem to be doing very much, but all of a sudden that wee light can burn the fire. I think I want to see that wee light becoming a fire, but I do not see this legislation being the way to do it.

5.54 pm

Claire Hanna (Belfast South) (SDLP): The legacy of the conflict is like a fog all around us. It affects politics in the everyday, and throughout this afternoon we have had a few glimpses of stories. Hon. Members will know that every time we meet a group or read a book, we hear a heartbreaking story that we have not heard before. Each one was a senseless loss that changed the futures and the lives of the families involved. Each of them is deserving of justice.

It is understandable that people say that we need to move on. Nobody wants to move on more than victims and survivors, but the Bill and the approach to legacy over recent years will not let them do so. It is blandly declared to be about reconciliation, but it will be a barrier to truth and reconciliation. It pretends to be about truth and reconciliation, but it will be difficult for people to shake the belief that—as with other major challenges facing us in Northern Ireland—it owes a lot more to placating parts of the Conservative party than it does to a good-faith attempt to get information for victims and survivors, and to aid societal healing.

In the face of opposition from every victims group, academics, legal experts and international commentators, and without the express consent of any political party in Northern Ireland, it is an act of institutional hostility for the Government to present the legislation as a fait accompli without the normal engagement. It is unwanted and unworkable. Ensuring the success of any legacy initiative requires independence—it is crucial to credibility—but unfortunately the Government are not independent on legacy. State actors and agencies were party to the conflict, and many of their personnel were perpetrators. While many served faithfully and to the best of their ability, some colluded with paramilitaries.

In direct conflict with the Stormont House agreement, the Bill places expansive and extravagant powers in the hands of the Secretary of State and a Government who are not trusted by a large number of the peoples in Northern Ireland. The Bill explicitly overrides devolution: senior personnel will be appointed to the new body by the NIO and the Secretary of State; rules on immunity will be made by the Secretary of State; national security and other vetoes, which for many years have been used as thwarting mechanisms, will be in the hands and at the whim of the Secretary of State; and those responsible for oral history will be in the hands of the Secretary of State, as will the budget. The purpose is to embed the control of the Secretary of State over the narrative and the outcomes.

The Command Paper in 2020 was an explicit amnesty, and this is the same thing, but in a less explicit way. It is clear to everybody what it is. The approach is structured to make it routine and fool-proof for perpetrators to get amnesty, which must be granted where a person has provided an account that is true to the best of their knowledge. That is a subjective test, and there is no test proposed of the actual truth of a perpetrator's account. The perpetrator knows that the amnesty is available and must be granted if they assert that what they say is true. There need never be any word about those who called the shots.

The claim that prosecutions may follow for those who do not take part rings hollow when no new investigative body or pathway for prosecution will be created. The ability of the DPP to pursue prosecutions is theoretical, because if the Bill is passed the DPP will not be able to pursue prosecutions. Members have glibly referenced accusations not being proven in court, but it will not be possible to prove them in court if the Bill becomes law. Members also mentioned South Africa, but this is so far removed from what happened in South Africa, where victims provided impact statements and could be present, along with their lawyers who could cross-examine applicants. It is not even clear in the Bill that victims' families will be notified if an amnesty is granted.

However much Members do not want certain offences to be in the Bill, it is clear that sexual violence will be covered by the amnesty. We know that people conducted and covered up systematic sexual abuse in paramilitary organisations, and they too will be eligible for immunity under the Bill. It is clear to everybody who the Bill is for. It is not for the people who have carried the weight of the conflict for decades: it is for the people who have the most to hide.

In the autumn just passed, I was part of a delegation of TDs, Senators and MPs who, under the Oireachtas's Good Friday Committee, met a variety of different victims and survivors one afternoon. We discussed a range of issues, and one thing that came out organically in a number of conversations was a pattern in how the trauma of bereaved people is compounded through the denigration of the victims by those who killed them. The daughters and sons of people murdered by the British Army in Ballymurphy in 1971 told us about the marginalisation and shame that they faced for many years as allegedly the daughters and sons of IRA men and women. Paul Gallagher, who was paralysed aged 21 when the Ulster Freedom Fighters took over his home to murder his neighbour, suffered the further indignity of the man believed to be responsible for that shooting

[Claire Hanna]

saying that he shot him because he was a provo. He said that those words hurt more than the six bullets that entered his body in 1994.

Columba McVeigh was a teenage boy who was disappeared by the IRA, and his family still have not been allowed the basic dignity of a body to bury. He was made a non-person by allegations that he was a collaborator—allegations by an organisation that we now know was riddled with informants and which thought that that was an acceptable thing to do to a teenage boy. The Bill waves through immunity for each of those killers, and people really need to give their heads a wobble if they think that those perpetrators will just go quietly and not use their new get-out-of-jail-free passes to firm up their self-serving versions of the past. As my hon. Friend the Member for Foyle (Colum Eastwood) explained clearly, we have an example from the Independent Commission for the Location of Victims' Remains, which was established in 1999 to give some comfort to families left without a body to bury. Despite immunity and the process being risk-free, only half of such cases have been solved.

Alongside the amnesty, the Bill pulls down the shutters on the alternative pathways to justice and the existing patchwork of mechanisms for dealing with the past. As I said, the architecture has not been put in place to do it properly, and it has been weakened by a refusal to implement judgments of the European Court of Human Rights and by delays in provision, but it seems that even those piecemeal provisions have brought forward too much truth for some people.

The Secretary of State's arbitrary diktat on claims last Tuesday forced dozens of families to try to race to issue proceedings and washed away years of good law and practice. That casual statement, not even made to the House—it was a written statement—drove yet another coach and horses through the process, and families who had been given promises by the legal system are now thwarted because they are placed in a queue over which they have no control. Inquiries and inquests are far from an ideal method of dealing with these issues, but they have been delivering some outcomes for families and wider society. Government Members have used Operation Kenova and Jon Boutcher as some sort of an amulet in defence of the Bill, but those inquiries and inquests have advanced huge amounts of information to families about the IRA cover-up machine.

Members have mentioned inquests. In my constituency, we had the Sean Graham bookmakers killing, when loyalist paramilitaries killed five Catholic civilians. It later emerged that one of the weapons used was part of a shipment organised by a military intelligence agent, and another weapon handed into a barracks elsewhere in the constituency was ultimately handed back to those paramilitaries. That information had not been disclosed before. There is the issue of a cycle of reinvestigations, but this had not been investigated properly in the first place—many victims never spoke to a police officer—so that is why issues come back up.

Oral history and the exploration of themes and patterns will also be mangled if the Bill becomes law. We are clear that there is not a pathway to justice for absolutely every family, but oral history has been a way of giving voice to victims and survivors, capturing some of the

complexities of the conflict and understanding its deep and tangled roots. However, the Bill denigrates that approach and uses it as window dressing for what is actually impunity. Will those who have waited for decades and had the shutters pulled down now be sent to the library to read about people who have been hand-picked by the Secretary of State to tell their stories?

Members have cynically used the failure of successive Governments over decades to address this issue as an excuse to now “get Northern Ireland done”, but it is a consistent and recorded frustration of the SDLP that the needs of those who suffered the most have not been addressed, while perpetrators and politicians have gone on to a very bright future. In every single negotiation, absolutely every time—there have been five or six over the last 20 years—the offering and the outcomes for victims and survivors have been watered down. Everybody knows the Stormont House agreement was not perfect, but it was an international bilateral arrangement and it had the support of most of the parties—I think all the parties—in this House. That is no mean feat, but it has not been delivered because it has not been actioned and has not been allowed to be delivered.

Instead, the Bill and this interference in the justice system undermine the rule of law and block all pathways to truth and reconciliation. Deliberate fiction is being created today that this is about reconciliation. It is clear that that is hollow. The message is going out today not that anybody who has used violence for their political ends will ever have to be held to account, but that after a number of decades, if they did that in a uniform or in a paramilitary organisation the record will be wiped clean in a few years. That is an awful message to send to families and an awful message to send into the future in our turbulent part of the world.

The hon. Member for North Antrim (Ian Paisley) referenced “Derry Girls”, which is not a sentence I ever thought I would say. That very moving episode did show how living and breathing the values of the Good Friday agreement are for all of us. As Erin and Michelle said, none of this stuff is easy, but just because it is not easy is not a reason. We cannot keep closing the door to truth. Every conflict around the world will show that the truth will out. People need to understand that it is not going to go away. The Bill will not let victims and survivors to move on. I urge the House to change it.

6.6 pm

Tonia Antoniazzi (Gower) (Lab): It is an honour to be able to close this debate on behalf of the Opposition. I want to make clear that we are not opposing the Bill for opposition's sake. This is a flawed and damaging piece of legislation that does not serve victims and survivors. It does not heal the wounds of communities. It does not allow Northern Ireland to move on.

We know and understand how challenging this is for so many. To hear the emotion in the voice of the hon. Member for Strangford (Jim Shannon) really hits home. It is important that his voice as a victim and the voices of all victims are heard. As my hon. Friend the Member for Rochdale (Tony Lloyd) said, the Bill does not deliver justice for victims or veterans—many veterans are also victims. The Bill as it is, as we have heard throughout the debate, demonstrates a woeful lack of understanding of the situation faced by families and communities

affected by the troubles, and an off-handedness towards groups in Northern Ireland, including the Northern Ireland Human Rights Commission, which has not even been consulted on the proposals.

Victims and survivors often do not speak with one voice on these issues, but in this situation the Government have miscalculated. All the victims and survivor groups we have heard from are singing from the same songsheet: the Government have misjudged the mood. Indeed, as the hon. Member for Foyle (Colum Eastwood) said, he cannot find anyone, apart from those on the Conservative Benches, who wants the Bill to pass. The hon. Member for Belfast East (Gavin Robinson) spoke about those elected in Northern Ireland. They do not represent one single view on legacy. So when the hon. Member for Wolverhampton South West (Stuart Anderson) attacked the Labour party for not standing up for veterans, it was hurtful and, frankly, deplorable.

Stuart Anderson: The point I made is that, throughout the whole debate in the many hours we have been here, only one Labour Member spoke from the Back Benches. I think that is offensive. It will resonate throughout the veteran community that Labour has not put its views across in this debate and has not argued the point for veterans

Tonia Antoniazzi: The hon. Member needs to reflect on the fact that this is not about us today; it is about the people in Northern Ireland, and this is the start of a legislative process where we will all be represented. *[Interruption.]* It is not appropriate, and very hurtful, for hon. Members to continue to make sedentary remarks and chunter on. I would rather be able to make progress.

The right hon. Member for Skipton and Ripon (Julian Smith), who spoke from the Government Benches, displayed the integrity and understanding of the people of Northern Ireland, which is precisely why the Government need to reframe the Bill. The Government say that they have learned lessons from South Africa, but there are significant differences between the two processes that will, in our opinion, not solve problems, but cause them in future.

First, on the independence of the entire process, the Bill gives the Secretary of State sweeping powers, including to appoint people to the commission and over the process of the commission. Let us consider the following paragraph from clause 20, which is titled “Determining a request for immunity”. Subsection (8) states:

“The immunity requests panel must take account of any guidance given by the Secretary of State—

- (a) when deciding in accordance with section 18(7) whether P should be granted—
 - (i) specific immunity from prosecution,
 - (ii) general immunity from prosecution, or
 - (iii) specific and general immunity from prosecution;”

The word “must” is doing a lot of heavy lifting in that sentence. It is saying that the Secretary of State can make a judgment on whether a person can be granted immunity in specific cases or even in general. That comes on top of the guidance that the Secretary of State can give about whether conduct is “possible criminal conduct”. Those are not judgments that any Secretary of State should be making. The Government are leaving themselves wide open to legal challenges.

The Government will probably also be subject to legal challenges on the second difference between this model and the South African model—namely, the lack of

conditionality on the amnesty. Whereas in South Africa the process was public and transparent, the system that the Government are trying to bring in is, as one commentator put it, “impunity repackaged”. Conditions on an amnesty are so low that they may as well not even exist.

The last difference between the South African system and what the Government are proposing is the running of the inquest system. Clause 33, which is called “No criminal investigations except through ICRIR reviews”, states:

“On and after the day on which this section comes into force, no criminal investigation of any Troubles-related offence may be continued or begun.”

As my hon. Friend the Member for Rochdale and the hon. Member for North Dorset (Simon Hoare) pointed out, any future investigations will not be allowed to take place. That is a significant difference and, frankly, it is not a solution that builds trust or delivers for victims or survivors.

We have also heard from the Government and Government Members about the process being the punishment, but they failed to mention that the Bill removes any reference to investigation of crimes and that that has now been replaced with the word “review”. For victims and survivors, that is not good enough. We cannot keep retraumatising victims and survivors of the troubles.

In Belfast less than two weeks ago, I heard at first hand from numerous organisations, when discussing legacy, how frustrated they were that they had better working relationships with the former Secretary of State and architect of the New Decade, New Approach agreement, the right hon. Member for Skipton and Ripon, and the Chair of the Northern Ireland Affairs Committee, the hon. Member for North Dorset, than they do with the incumbent Secretary of State for Northern Ireland. That is not good enough. The manner in which the Government have behaved at every stage of the process in bringing the Bill before the House has been the antithesis of the values that underpin our system of governance.

The Bill will give the Secretary of State enormous powers, but there has been no prelegislative work and no scrutiny by the Northern Ireland Affairs Committee. The hon. Member for North Dorset has eloquently made the point that the Bill addresses such a contentious and emotive subject that it deserves more time for debate and consideration. The Opposition would support an extension of time to discuss the Bill.

We would also welcome a full consultation with the people of Northern Ireland. A consultation on the Northern Ireland (Stormont Agreement and Implementation Plan) Bill received 17,000 responses, with a clear message that there should be no amnesty for troubles-related abuses. Why are those voices now being ignored? Despite the clear support of the people of Northern Ireland for the Stormont House agreement, the UK Government released a written ministerial statement in March 2020 that signified a unilateral move away from it. That ran contrary to the Government’s commitments in the agreement and the expressed will of the Northern Irish people.

The Secretary of State says that he has consulted. Will he tell the House exactly whom he has consulted and what they have told him? There is such a lack of

[Tonia Antoniazzi]

support for the Bill from organisations such as Amnesty International, which he refuses to meet, and from the Government of the Republic of Ireland and the Northern Ireland Human Rights Commission, so we need to know. Demands for meetings with, in some cases, less than 24 hours' notice is not the way to show organisations respect.

The Secretary of State and the Minister of State will know from seeing the visitors in the Gallery that victims of the troubles have made the journey to London today because they are so upset and angry that their voices have not been heard. Is it not one of the Secretary of State's principal roles to listen to victims and their families, sit down and take note, consult fully, undertake due diligence and, above all, pay them the respect that they deserve?

No matter how the Bill is dressed up, it equates to a blanket amnesty. It undermines fundamental human rights enshrined in the Belfast/Good Friday agreement and undermines the institutions established to uphold that monumental and historic agreement, which underpins peace in Northern Ireland. The Bill is solely a product of the UK Government. It does not arise from an agreement with the political parties of Northern Ireland or with the Government of Ireland; it does not have the democratic legitimacy that previous legislative change has had. Even though it purports to be about reconciliation in Northern Ireland, it does not have the support of the people of Northern Ireland.

The Labour party is an honest broker. Having listened to the victims' groups, the organisations and the political parties that want justice and truth, we cannot support the Bill today. It delivers for no one and does not address the issues in Northern Ireland that need to be resolved.

6.17 pm

The Minister of State, Northern Ireland Office (Conor Burns): It is a pleasure to respond to this debate on behalf of Her Majesty's Government. It has been a varied, informed and intensely emotional debate, which is only to be expected, given the subject of the Bill. Words matter—they matter more in Northern Ireland than in perhaps any other part of our United Kingdom. Across the House, we all have an obligation to use our words in a measured way when we deal with these very sensitive issues.

I pay tribute to the victims who have been with us in the Chamber today and to the countless others who are not with us today, or not with us any more at all. I also pay tribute to those who served with such courage and bravery in Her Majesty's armed forces throughout the years of the troubles, during the sectarian violence that came from both sides of the community in Northern Ireland. Above all, let me pay tribute to the people of Northern Ireland—to all the people of Northern Ireland, who always demonstrate such stoicism, generosity, hospitality and warmth, even in the most trying circumstances.

There is no doubt that the proposals that the Government are bringing forward today are controversial. I accept—as I accepted within my first week of returning to the Government when I was asked to go to the Northern Ireland Office—that there is widespread opposition to the proposals in the Bill. I noted at the time, as my right hon. Friend the Secretary of State has acknowledged,

that while there was considerable opposition to these proposals, there was not, conversely, a consensus on what the parties in Northern Ireland would like us to do instead. I say to my friends in all parties—and to members of the parties that are not represented physically in this place, either because those people do not take their seats or because they did not gain election—that it would be within the ability of the devolved Government, the Assembly in Northern Ireland, to take these matters forward if that consensus emerged on the ground and if they wished to do it.

Simon Hoare: I am encouraged by the consensual tone that my right hon. Friend is striking, and by his search for ways in which to widen the debate. In that spirit—given that he has heard from the hon. Member for Gower (Tonia Antoniazzi) and from the Democratic Unionist party of their strong desire for an extension of the Committee stage on the Floor of the House to allow that wider debate to be had and a wider range of amendments to be tabled—may I advise him to undertake to talk to the business managers about whether we can secure some extra time?

Conor Burns: I am grateful to my right hon. Friend, the Chair of the Select Committee, and I shall be saying something about his speech in a moment. We have heard concern expressed on both sides of the House about the amount of time that will be available in Committee. Both the Secretary of State and I are very open to the idea of expanding that, and conversations have already begun with business managers. Subject to their agreement, we would look to provide a little more time—

Tony Lloyd: Will the Minister give way?

Conor Burns: Will the hon. Gentleman bear with me while I give this commitment?

We would look to try and find more parliamentary time for consideration in Committee, in a spirit of being open to input from Members on both sides of the House. Now I will give way to the hon. Gentleman.

Tony Lloyd: I am grateful to the Minister.

Given that the period between First Reading and Second Reading was so short, and given that consultation was virtually non-existent, would Ministers be prepared to refer the Bill to the Select Committee, or some other forum, for prelegislative scrutiny? I think that that would move us on a little bit.

Conor Burns: I hear what the hon. Gentleman says, but the timetabling of today's Second Reading debate was agreed through the usual channels. I must say to him candidly that I do not agree with his points about a lack of engagement. There has been considerable engagement, much of which has been undertaken directly by the Secretary of State and me, often with groups who did not welcome that engagement being publicised. Much of it, of necessity, took place in private, but I assure the hon. Gentleman that in some of the meetings that I attended, the emotion was heard, and heard very clearly, by my right hon. Friend the Secretary of State and me.

We are tackling this, and I think that my right hon. Friend deserves a measure of credit, because it is an intensely difficult and controversial area for any Government to get involved in. That is why successive Governments

have left it alone. The fact that my right hon. Friend worked so diligently on these proposals—and, indeed, the flak that has been taken when we have missed deadlines in order to take the time to try to refine and improve the Bill that we were going to bring to the House today—show, I think, that we were listening. I also pay tribute to my right hon. Friend the Prime Minister: the Government he leads will deliver shortly on the language and cultural commitments that they have undertaken.

Stephen Farry: I noted the Minister's claim that the Government had engaged with various victims groups on a private basis. Indeed, there have been media reports that some, allegedly, said something privately that was different from what they have said in public. We all know the main victims groups in Northern Ireland, as do the Government. All of them have made their opposition to these proposals clear in public. Furthermore, they have made it very clear that what they say in public is exactly the same as what they say in private. How does the Minister explain this clear disjoint?

Conor Burns: I would describe the “clear disjoint” as not being a clear disjoint, because that was a journalist's quote which does not reflect what was actually said. Let me also correct a little nuance. I did not say that we were engaging privately; I said that we were engaging in private. We were meeting people who had been victims of terrorism. I myself met victims from republican families in West Belfast—I do not think many Ministers have done this over the years—hosted by the Sinn Féin Member, the hon. Member for Belfast West (Paul Maskey), so it is not true to say that the Secretary of State and I and the member of our ministerial team in the other place—and, indeed, our officials, who have worked so hard on developing these proposals and to whom I pay tribute—have not been listening.

I just want to correct a few points of fact as we begin the closure of this debate. I say gently to the shadow Secretary of State, the hon. Member for Hove (Peter Kyle), on his point about sexual offences that we are very clear that any offences from 1 January 1966 to 10 April 1998 that are not troubles-related can still be investigated by the PSNI and police forces in Great Britain. Troubles-related offences that are not linked to a death or serious injury will not be investigated by this body and will not be subject to the immunity provisions. Only serious and connected troubles-related offences that took place between those dates and that are related to a death or serious injury will be eligible for immunity.

Peter Kyle: This is a very serious issue and it would be great to clarify this. The model bill team on Queen's University Belfast's committee on the administration of justice, who are experts in this area, have said:

“Unusually for such an immunity scheme, there is no specific prohibition on certain kinds of crime, such as crimes of sexual violence. It would therefore appear that applicants who had been involved in rape and other crimes of sexual violence related to the Troubles, or indeed the covering up of such crimes within paramilitary or state organisations, would be entitled to apply for immunity under this bill.”

So this is not just about serious violence. If people who had committed serious violence and rape applied for immunity, would it apply in these circumstances? Let's just clear this up.

Conor Burns: The direct answer to that is no. The proper place for us to test some of these questions will be in Committee, rather than on Second Reading, but I am absolutely clear, as is the Secretary of State, that that is not the intention of the Bill and it will not be a consequence of the Bill.

My right hon. Friend the Member for Skipton and Ripon (Julian Smith) made a powerful speech. I can tell him that the commissioner for investigations and designated officers will have the full sweep of police powers in pursuing their investigations and reviews. These are much greater than we have perhaps so far successfully explained. On the independence of the body, which my right hon. Friend also mentioned, the Secretary of State was clear in his opening speech that Her Majesty's Government will have no role in the operational work of the body. I would welcome working with my right hon. Friend to find ways to make that clearer as we proceed to the Committee stage.

My hon. Friend the Member for Belfast East (Gavin Robinson) raised a point about consideration of other information when considering whether to grant immunity. The judge-led immunity panel is under a duty to take into account other information in possession, and will therefore have to carefully assess conflicting evidence before deciding whether to apply immunity and whether the person applying for that immunity was in fact telling the truth.

The hon. Member for North Down (Stephen Farry) referred to engagement. What is clear is that there is no widespread consensus on this. Even within families there are differences in how people want this to be treated. That is why the role of the families in engaging with this body will be incredibly important to the body exercising its discretion after its formation. The hon. Member was right to say that honest and effective information recovery would be better with the full co-operation of the Governments of the United Kingdom and of the Irish Republic. I have to say without being misunderstood that I do not think we will be requiring information from the Government of the Irish Republic for veterans.

My hon. Friend the Member for North Dorset (Simon Hoare), the Chairman of the Select Committee, talked about the appointment of commissioners. Other than the chief commissioner, the Government have been deliberately opaque in setting out who else should serve on that, and we are very open to ideas and would welcome them.

Simon Hoare: Will my right hon. Friend assure me and the House that there is nothing in the Bill that precludes somebody with international status, but who is not a UK citizen, from serving as a commissioner? That would add extra independence, rigour and experience, which would add value to the whole process.

Conor Burns: My hon. Friend makes an important point, and he is absolutely right. There is nothing in the Bill that precludes an international person from serving on the body. In fact, it could well be warmly welcomed and add rigour to the body's credibility, impartiality and independence.

Over the decades, a number of politicians in this House have taken courageous steps to build the peace and stability we enjoy in Northern Ireland today. It was started by Margaret Thatcher with the Anglo-Irish agreement,

[Conor Burns]

and John Major built it up. Tony Blair signed the Belfast/Good Friday agreement and David Cameron gave an incredible speech on the publication of the Saville report, which I was privileged to hear in the Chamber. That peace has been hard-fought and hard-won.

Since I rejoined Government in this role, I have visited multiple schools in Northern Ireland in Castlederg, Hillsborough, Armagh, Belfast, Bangor, Craigavon, Saintfield and Newtownards. People questioned why, when education is devolved, I was bothering with schools as a UK Government Minister. I pointed out that kids are not devolved, parents are not devolved and teachers are not devolved. The future of Northern Ireland is in those schools.

Two schools, in particular, stand out in my memory: St Brigid's College in Derry, in the constituency of the hon. Member for Foyle, and Antrim Grammar School. I visited Antrim Grammar having met a young man at a charity play for the centenary "Our Story in the Making: NI Beyond 100," which the Northern Ireland Office had the privilege to fund partially. This young man, Chris Campbell, was going into his A-levels, and he was playing Mr Northern Ireland almost 25 years on from the signing of the Belfast/Good Friday agreement—this young man was not even born when Northern Ireland knew the troubles. One line from the play stuck in my mind: "Being divided keeps us united." When I returned to my primary school in north Belfast, Park Lodge, I was asked—

Sir Iain Duncan Smith: I hesitate to distract the Minister from his theatrical memories—he is doing very well—but I would like to take him back to the Bill for a split second. I mean no offence, of course.

If people do not choose to be in the reconciliation process, whatever one feels about tightening up how it works, is it feasible to adjust it so that, if they choose the courts or if the courts choose them, they go back to a full-life tariff for committing murder most foul, whoever they are?

Conor Burns: It is always a delight to be silenced by the quiet man. We will have to come back to those matters in Committee, but I hope hon. Members on both sides of the House and the Labour Front Bench are hearing, not least in our determination potentially to find more time to consider these matters in Committee, our openness to good ideas from both sides of the House that could improve the Bill.

Julian Smith: Will the Minister commit to having another look at the five-year pipeline of inquests so that the Government can assure anybody who has been promised an inquest that those inquests will actually go ahead?

Conor Burns: That is certainly something that we will happily take a look at. There is no proposal even in the Bill to bring down the curtain immediately on inquests that are under way. For the sake of finding consensus, my right hon. Friend the Secretary of State and I would be more than happy to look at reasonable suggestions.

Johnny Mercer: I of course welcome the Minister saying from the Dispatch Box that he will look at x, y and z. Does he understand and does the Northern

Ireland Office understand 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. I know that my right hon. Friends the Minister of State and Secretary of State want to do that, but we need to make that commitment from the Dispatch Box, because we have to bring these families with us.

Conor Burns: I agree with my hon. Friend that we have to build on the bits of the current framework that are working, but I accept as I know my hon. Friend will concede, that much of it is not working or delivering for victims.

Sir Jeffrey M. Donaldson: A moment ago the Minister mentioned the word "consensus". If in the Committee stage there is cross-party support from Northern Ireland on key changes to the Bill, will the Government commit to taking heed of the voices of those of us who represent the people of Northern Ireland?

Conor Burns: Given that we are not at this moment negotiating another confidence and supply arrangement, I do not intend to write the right hon. Gentleman a blank cheque from this Dispatch Box, but I will say in the spirit of co-operation and consensus that, if agreement can be reached on ways in which the proposals can be improved, my right hon. Friend the Secretary of State and I and the Government more widely will absolutely look at them.

Sir Mike Penning: Will my right hon. Friend give way?

Conor Burns: No, I am going to conclude.

The Northern Ireland that I was born into 50 years ago this year was a place with an atmosphere of violence and conflict that was powerful and overwhelming. Such was that society that when I moved to England to a little village in Hertfordshire called Wheathampstead I told my mother as an eight-year-old boy that I did not feel safe. When she asked me why, I said that the police did not have guns and the Army were not on the streets. That was the normalised Northern Ireland of those days. Thank God those days are behind us.

On the formation of the Northern Ireland Office, Willie Whitelaw was appointed Secretary of State. He went on his first evening in post to speak to a Conservative gathering in Harrow. It is recorded in his memoirs that he said to them:

"I am undertaking the most terrifying, difficult and awesome task. The solution...will only be found in the hearts and minds of men and women."

Northern Ireland remains a society where facts are contested and divisions are entrenched. We cannot draw a line and we cannot move on. You cannot heal the hurt of human hearts, or the grief of bereaved parents and siblings, but we have a duty to try to find a way not to bequeath this entrenched division to future generations.

In a spirit of partnership, co-operation and compromise, let us head to the Bill Committee and use our collective judgment, knowledge and wisdom to improve the proposition that is before the House today. In that spirit, I commend the Bill to the House.

Question put. That the Bill be now read a Second time.

The House divided: Ayes 285, Noes 208.

Division No. 8]**[6.38 pm****AYES**

Adams, rh Nigel
Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Bottomley, Sir Peter
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buckland, rh Sir Robert
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clarke, rh Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clifton-Brown, Sir Geoffrey
Colburn, Elliot
Collins, Damian
Costa, Alberto
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
Davison, Dehenna
Dinenage, Dame Caroline

Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
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
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gibb, rh Nick
Gideon, Jo
Goodwill, rh Sir Robert
Gove, rh Michael
Grant, Mrs Helen
Grayling, rh Chris
Green, Andy
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hammond, Stephen
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heaton-Harris, rh Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, Paul
Huddleston, Nigel

Hudson, Dr Neil
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkinson, Mark
Jenrick, rh Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Keegan, Gillian
Knight, rh Sir Greg
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
McCartney, Jason
McCartney, Karl
McPartland, Stephen
McVey, rh Esther
Menzies, Mark
Merriman, Huw
Millar, Robin
Miller, rh Mrs Maria
Milling, rh Amanda
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrisey, Joy
Mortimer, Jill
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia

Nokes, rh Caroline
O'Brien, Neil
Opperman, Guy
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, Chris
Pincher, rh Christopher
Pow, Rebecca
Prentis, Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Richards, Nicola
Richardson, Angela
Robertson, Mr Laurence
Robinson, Mary
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shapps, rh Grant
Simmonds, David
Smith, Chloe
Smith, Greg
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, Andrew
Stevenson, John
Stewart, rh Bob
Streeter, Sir Gary
Stride, rh Mel
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin (*Proxy vote
cast by Christopher Pincher*)
Tomlinson, Michael
Tracey, Craig
Trott, Laura
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Sir Bill

Wild, James
Williams, Craig
Williamson, rh Sir Gavin
Wood, Mike
Wright, rh Jeremy

Young, Jacob

Tellers for the Ayes:
Andrea Jenkyns and
Steve Double

NOES

Abrahams, Debbie
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Bardell, Hannah
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blackford, rh Ian
Blackman, Kirsty
Blomfield, Paul
Bonnar, Steven
Bradshaw, rh Mr Ben
Brock, Deidre
Brown, Alan
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burgon, Richard
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Sir Alan
Campbell, Mr Gregory
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Cooper, Daisy
Corbyn, rh Jeremy
Cowan, Ronnie
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Daby, Janet
David, Wayne
Davies, Geraint
Davies-Jones, Alex
Day, Martyn
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Donaldson, rh Sir Jeffrey M.
Doogan, Dave
Doughty, Stephen
Duffield, Rosie
Eagle, Maria
Eastwood, Colum
Edwards, Jonathan
Elmore, Chris
Eshalomi, Florence
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret

Fletcher, Colleen
Flynn, Stephen
Fovargue, Yvonne
Foxcroft, Vicky
Furniss, Gill
Gibson, Patricia
Gill, Preet Kaur
Girvan, Paul
Glindon, Mary
Grady, Patrick
Grant, Peter
Green, Kate
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Mrs Paulette
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hobhouse, Wera
Hollern, Kate
Hosie, rh Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Gerald
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
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
Linden, David
Lloyd, Tony
Lockhart, Carla
Long Bailey, Rebecca
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Malhotra, Seema
Maskell, Rachael
Mc Nally, John
McCabe, Steve
McDonald, Andy
McDonald, Stewart Malcolm

McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
Mearns, Ian
Mishra, Navendu
Monaghan, Carol
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Norris, Alex
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo
Paisley, Ian
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qaisar, Ms Anum
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Robinson, Gavin

Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Nick
Sobel, Alex
Spellar, rh John
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thewliss, Alison
Thomas, Gareth
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Twigg, Derek
Vaz, rh Valerie
Wakeford, Christian
West, Catherine
Whitehead, Dr Alan
Whitley, Mick
Williams, Hywel
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Sarah Owen and
Liz Twist

Question accordingly agreed to.

Bill read a Second time.

NORTHERN IRELAND TROUBLES (LEGACY AND RECONCILIATION) BILL: PROGRAMME

*Motion made, and Question put forthwith (Standing
Order No. 83A(7)),*

That the following provisions shall apply to the Northern
Ireland Troubles (Legacy and Reconciliation) Bill:

Committal

(1) The Bill shall be committed to a Committee of the whole
House.

Proceedings in Committee

(2) Proceedings in Committee of the whole House shall be
completed in two days.

(3) The proceedings—

(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; Clauses 42 to 50; new Clauses relating to Part 4; new Schedules relating to Part 4	Three hours after the commencement of proceedings on the first day.
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; 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; 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	Five hours after the commencement of proceedings on the second day.

Consideration and Third Reading

(4) Any proceedings on Consideration and proceedings on Third Reading shall be taken on the second day of proceedings in Committee and shall (so far as not previously concluded) be brought to a conclusion six hours after the commencement of proceedings on that day.

Programming committee

(5) Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to proceedings on Third Reading.

Other proceedings

(6) Any other proceedings on the Bill may be programmed.—
(*Amanda Solloway.*)

Question agreed to.

**NORTHERN IRELAND TROUBLES (LEGACY
AND RECONCILIATION) BILL: MONEY**

Queen's recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Northern Ireland Troubles (Legacy and Reconciliation) Bill, it is expedient to authorise:

(1) the payment out of money provided by Parliament of:

- (a) any expenditure incurred under or by virtue of the Act by the Secretary of State or any other public authority, and

(b) any increase attributable to the Act in the sums payable under any other Act out of money so provided, and

(2) the payment of sums into the Consolidated Fund.—
(*Amanda Solloway.*)

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 (Miscellaneous Amendments) Regulations 2022, which were laid before this House on 31 March in the last Session of Parliament, be approved.—
(*Amanda Solloway.*)

Question agreed to.

PETITION**Corporate Travel Management**

6.53 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): I rise to present a petition on behalf of the constituents of Linlithgow and East Falkirk regarding their concerns around the contract awarded by the UK Government to Corporate Travel Management to co-ordinate the hotel quarantine programme, and their belief that the UK Government failed in their duty to ensure that CTM had an adequate system in place to deal with customer payments and complaints.

The petition states:

The petitioners therefore request that the House of Commons urge the Government to commit to reallocate funding to recompense anyone who has lost out financially as a result of CTM's handling of the quarantine hotel booking service when South Africa was moved onto the UK travel red list.

And the petitioners remain, etc.

Following is the full text of the petition:

[The petition of residents of the constituency of Linlithgow and East Falkirk,

Declares that the petitioners believe that the contract awarded by the UK Government to Corporate Travel Management (CTM) to coordinate the hotel quarantine programme avoided due process or competition; further that the UK Government failed in their duty to ensure that CTM had an adequate system in place to deal with customer payments and complaints around the operation of the quarantine hotel booking services; and notes that this has resulted in many travellers being unable to coordinate travel back to the UK when South Africa was moved onto the UK travel red list.

The petitioners therefore request that the House of Commons urge the Government to commit to reallocate funding to recompense anyone who has lost out financially as a result of CTM's handling of the quarantine hotel booking service when South Africa was moved onto the UK travel red list.

And the petitioners remain, etc.]

Asylum Reception Centre: Linton-on-Ouse

Motion made, and Question proposed, That this House do now adjourn.—(*Amanda Solloway.*)

6.54 pm

Kevin Hollinrake (Thirsk and Malton) (Con): I very much appreciate this opportunity to debate on the Floor of the House the asylum seeker reception centre at Linton-on-Ouse. I must say that although the Home Office has been willing to engage on this issue, the approach it has taken has been pretty much an abuse of power. It has been indifferent all the way along. The approach has been very insensitive and quite uninformed in terms of the issues that we see on the ground.

I would summarise the proposals as a convenience, in that the availability of a site has taken precedence over its suitability. The site is simply not fit for the purpose outlined for it. A key indicator of that is that until now I have not been able to find—I am sorry to say this; I have hunted through Home Office and Cabinet Office Ministers, Secretaries of State and officials—anybody willing to take ownership of the decision and say that it is the right thing to do. No Member of Parliament or Minister has come up to me to say that they believe that this is the right place to put the facility.

Of course such a facility is always going to be controversial; I quite understand that. As I will touch on in a second, this is not about nimbyism. To put right at the heart of a village of 600 people a facility that will ultimately have a capacity of about 1,500 young single men between 18 and 40, coming from different cultures and different parts of the world—Iraq, Syria, Afghanistan, Eritrea—is absolutely disgraceful. I have lived all my life about six or seven miles away from the village, and I know many people in it. In North Yorkshire, we are lucky to have a great deal of freedom—that is what we are used to. But the people of Linton-on-Ouse will have those liberties taken from them as a result of this policy.

Sir Robert Goodwill (Scarborough and Whitby) (Con): Does my hon. Friend agree that if a developer were to try to build a development of such a size on the edge of such a village, they would be laughed out of court?

Kevin Hollinrake: My right hon. Friend is absolutely right, and I very much appreciate his support and that of many other colleagues; this debate is well attended for an Adjournment debate, which I very much appreciate.

My right hon. Friend is absolutely right: the issue is not race or nimbyism, but scale—the whole facility is way out of scale for this development, as he says. I am talking about the simple liberties that we take for granted: walking to the village shop, sending a child to walk to the village school or playground, walking the dog alone in the morning or evening—all those liberties that have been pretty much taken for granted in Linton-on-Ouse will be taken from its residents. I do not think it is putting it too strongly to say that those residents are the sacrificial lambs to a national policy. That cannot be right and it cannot be something that the Minister will countenance.

Julian Sturdy (York Outer) (Con): Is my hon. Friend not surprised that there was no consultation with local MPs, local authorities and local residents before the decision was actually taken?

Kevin Hollinrake: I am kind of surprised and kind of not. I can understand the political priority around the policy, which sits alongside the Rwanda policy. It was hastily rushed out and has not been properly considered.

But my hon. Friend is so right. I should point to the facility at Rivenhall, in the Home Secretary's constituency. That was eventually removed because, according to the Home Office, there had been

“a failure to recognise that Rivenhall was not in a major conurbation”.

It said that asylum seekers should be placed in urban areas that encompass a number of cities or towns so that they can access support more easily. Crucially, to come back to my hon. Friend's point, there was

“a failure to ensure that appropriate engagement had taken place with council officials and other service providers”.

Those are the Home Office's own words, but exactly the same has happened again with this facility. There has been no consultation.

Mark Menzies (Fylde) (Con): My hon. Friend is a tremendous champion for the people of Thirsk and Malton—that is not in doubt—but this issue is also about what is in the interest of the asylum seekers. We are dealing with people who are highly vulnerable, and the point he is making is very strong. It is about their ability to access support networks and to be in an appropriate environment, as opposed to being in an isolated, albeit incredibly beautiful part of the world. He is absolutely right to bring this question to the Floor of the House, and it is absolutely right that Ministers are held to account for this decision.

7 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do now adjourn.—(*Amanda Solloway.*)

Kevin Hollinrake: My hon. Friend is absolutely right. This is not just about the site not being right for the residents of Linton-on-Ouse; it is not right for the asylum seekers, either. I am yet to find any agency that supports this facility in this location, whether police or local authorities, or anyone in the community itself. Crucially, the refugee agencies that have attended all the public meetings I have attended have been clear that this is the wrong facility in the wrong place. That cannot be right for the asylum seekers themselves. Inevitably, in a small local village with no amenities other than a village shop, they will be bored, whatever is put on the site in terms of some amenities, which, to be fair, the Home Office is doing.

Rachael Maskell (York Central) (Lab/Co-op): I am grateful to the hon. Member for bringing forward the debate, which impacts on my city of York, as I have discussed with York City of Sanctuary. We are concerned about people's access to vital infrastructure and services such as the NHS, which is based in the middle of my constituency. It is completely inaccessible outside of hours for people in Linton-on-Ouse without private transport.

Kevin Hollinrake: The hon. Member raises a good point. The first tranche of 60 people—service users, as they are called by the Home Office—are due to move in

in seven days' time. There was an indication by the Home Office today that that might be delayed. We do not know by how long yet, but nevertheless, none of the plan for mental health support, GP support or dental support has yet been articulated. The police plan has not yet been articulated. It is simply wrong. We are going far too quickly with this. We need to slow down, pause, look again, consult properly and make sure that we have mitigations in place.

I was on the call with the police and the Home Office today, and the police came out with the phrase that they use, that they want to keep people safe and for people to feel safe. Neither of those things do people in Linton-on-Ouse feel. People do not feel safe. I think those fears are rational; they are not irrational fears. In any cohort of 1,500 young single men, there will be some who do not play by the rules. The vast majority will, but that is of little comfort to people genuinely in fear of their lives and wellbeing. I have had children as young as nine writing to me and meeting me at these public meetings saying how panic stricken they are. I have had elderly residents saying that they have lost the sale of their home and they are in ill health, including one lady whose husband is in ill health. This issue is changing lives today.

Crucially, one thing that has not been considered at all—this was the subject of an exchange of correspondence with the Home Office only yesterday—is what happens to existing service personnel in accommodation on the site and in the village. According to the Home Office, they have been given an option to move elsewhere, but that should not need to be the case. What happens with someone in the armed forces, currently or previously, who has already bought a house in the village of Linton-on-Ouse? I speak with some experience in the property market, and there is little chance of selling any house in Linton-on-Ouse at the moment. We are basically saying to service personnel or former service personnel who live in the village—it is commonly known where they live, and it may be that some of these service users hold a grudge against service personnel who have fought in Iraq and elsewhere—that a grudge held against them might put their lives in peril. No consideration has been made of that. It cannot be right that the Home Office is not showing a reasonable duty of care.

Jerome Mayhew (Broadland) (Con): My hon. Friend has spoken of some 60 or 70 service users due to arrive next week. That is already 10% of the entire population of the village. Can he clarify whether this will be a closed facility? Will there be any management of ingress and egress, or will the service users be widely open to move around the population at will?

Kevin Hollinrake: That is a good question; I should have touched on that earlier. It is a non-detained site, so the service users—*asylum seekers*—will be able to leave the site and return at will. There will be some management of that on the door to get the name of who is leaving and who is coming back, although there is always a concern that people will get out by other means as it is a very big site, but the point is that they are non-detained. There is an informal curfew at 10 pm, so there is no requirement for them to come back. Safeguarding calls will be made to them after 10 o'clock if they are not back, but there is no limitation on the number of times

that they can leave the site. In fact, they can go and stay overnight elsewhere. They are free to come and go, which is clearly a big concern for the village.

I am sure that this is not the Home Office's intention, but it appears to me that the village is collateral damage of a wider policy. It cannot be right to put the whole burden of a single national policy, however important it is, on one small community wherever it is in the UK—whether it is in my constituency or not. This is not about my popularity locally or my majority. I know many people in the village and was at school with many of them. It is simply unfair, it is simply wrong and Ministers must think again.

Andrew Jones (Harrogate and Knaresborough) (Con): My hon. Friend is making a valuable speech about the implications for that community. Has he had any indication from the Home Office about extra funding that may be available for local services such as extra policing or health? It is a small community facing a very large potential increase in the population. What happens to that funding?

Kevin Hollinrake: My hon. Friend is absolutely right, and that position is not yet clear. It has been made more apparent recently that there will be that kind of funding, but we have no plan in place. The police, fire and crime commissioner, Zoë Metcalfe, has been very helpful and engaged in the whole process, as have Hambleton District Council, Mark Robson, the leader of the council, and Mal Taylor, the local councillor. Apparently, there will be a double-manned police car in that village 24/7, which is good to hear, and there will also potentially be CCTV in the village, which does not currently exist. Those potential mitigations would help, but it is not clear that those plans will be in place on 31 May when service users move in. I have also not seen a clear plan anywhere.

On the funding of the centre, I understand that money will be made available from Home Office funds, but again that is not clear, which is why we are saying that the plans should be paused until we understand what is needed and how it will be deployed properly.

I have been called all kinds of things on Twitter since I objected to this facility, such as racist, which is complete nonsense. Thirsk and Malton has been welcoming of *asylum seekers* from all different parts of the world. We have some Syrian families in Malton and we have Ukrainian families all across the constituency, so it is complete nonsense. Nor is it a question of *nimbyism*. As I said, I would object to such a facility and support other hon. Members—I am delighted to see so much support in the Chamber—wherever it was going to be if that was the wrong location, as this is. We can tell it is the wrong location because Home Office guidance on dispersal is clear that there should be one *asylum seeker* per 200 head of population. This is on a completely different scale. The only comparable facility that we operate in the UK is at Napier in Folkestone, where there are now 320 service users against a population of 47,000. In this case, there will be 1,500 against a population of 600. Clearly, that is a trebling of the population.

Alison Thewliss (Glasgow Central) (SNP): I very much support the debate that the hon. Gentleman has brought forward. As chair of the all-party parliamentary group

[Alison Thewliss]

on immigration detention, I have visited the Napier site and found that it was entirely inadequate for the needs of the asylum seekers based there, that it had put a burden on local health services, and that facilities had not really been put in place to deal with that number of people—and that was 300, not the 1,500 suggested for the site at Linton-on-Ouse. Does he share my concern that, without engaging with the local community, it would be difficult to get support for any size of facility on people's doorstep?

Kevin Hollinrake: Yes, I think the hon. Member is absolutely right, and she does great work on the all-party group on immigration detention, which is heavily engaged with me on these matters. Whatever we do with these facilities, we have to plan them properly. That did not happen at Napier, hence the trouble. This is a better-planned site, there is no doubt about it—some of the issues of dormitory accommodation and other things have been solved, and the accommodation itself has been planned better—but it is much worse for accessing amenities and public services for the service users, which leads to all other kinds of problems.

As I say, we are where we find ourselves, but I do not think it is right that we can effectively use this village, which is clearly not the right the place for this facility. Everybody can see that. I am really interested to hear whether the Minister will defend this choice, because I have not heard a Minister or an official do that yet. There is lots of finger pointing going on.

Graham Stringer (Blackley and Broughton) (Lab): Although I am from the other side of the Pennines, I find the hon. Gentleman's case completely compelling. Is this site intended to be permanent or is it temporary? I would be grateful if he could explain that.

Kevin Hollinrake: I think it is more than temporary. We are not quite clear, and I appreciate the hon. Member's support. Clearly, the Home Office is putting quite a big investment into this. It is putting a gym, a library and facilities for multi-faith worship activities on site. It is clearly a big investment, so I can only imagine that it is not a two-year but a decade-long thing, if not longer, depending on how the wider asylum and small boats issue carries on. I think people's lives are going to be blighted for a decade at least—that would be my guesstimate—and that affects things in so many different ways in the village, not least the liberties that people should reasonably expect.

To me, the plans are half-baked. I cannot put it any more kindly than that. On the call today with Home Office officials, the words were, "This is going to be a journey." I just do not think that is right. I just do not think we can treat a community of 600 people like that. Of course these matters are controversial wherever we put such facilities, but nevertheless it is clearly easier and more likely to work as part of a local community in a bigger community, for so many different reasons—not least the fear of crime, of course. In a bigger conurbation, when someone is walking down the street there are likely to be other people on that street, but in a village such as Linton-on-Ouse there often is not, so people are going to feel like prisoners in their own home much of the time there.

I said right at the start that this is an abuse of power, and I do not think that is putting it too strongly. The Home Office is using its emergency powers, with a Q notice, so it did not have to go through the planning process for this material change of use, which it undoubtedly is. The reason for those powers—why is it an emergency?—was, we were told, covid. Well, we thought that covid was actually largely behind us, especially at this time of year. I do not think it is right to say that covid can be one of the reasons why we are using emergency powers in this way. I know that Hambleton District Council is looking at enforcement action against the Home Office to find out the exact reasons behind the emergency powers, which should be used exceptionally rather than on a more frequent basis. So this really does not seem to have been properly considered or thought through, and it is ill-informed.

Where do we need to go now? There are other sites available. My belief is that this should stop completely. It is not just about putting mitigations in place; it is the wrong place, and there is no way to mitigate this facility in a way that will make residents feel safe and be safe, so we should stop completely. I have a list of other sites that could be considered. I am interested to see what the Minister says about the consideration of other sites, but the Linton-on-Ouse action group has put together a list of other sites, all from the MOD disposal list. I think that is where we should go next. We should suspend these plans, look at this and consult on other sites. We absolutely should delay right away, and there should be no talk of this happening in a week's time. The police have asked for at least a month's delay. If the police want a month's delay, the Home Office surely cannot ignore the police and crime commissioner's recommendation, which has the support of her senior officers, and carry on regardless without listening to the expert advice of those people.

The line of least resistance is that the Government simply change tack, have a change of heart, reverse their plans and look at this again, which I would welcome. If that is not going to happen, and I have no indication that it is, then as I have said, I will be working with Hambleton District Council on a legal challenge. I think it is serious enough that we should challenge the basis of the decision and the process by which it has been made in the courts if the Government do not change tack. I do not think it is right to do that unless we have a serious chance of reversing the plans completely and blocking them altogether. If all we were to achieve were simply to delay things or give the Home Office the opportunity it should have taken in the first place to consult properly, I would not want to waste taxpayers' money. We are still waiting for legal advice, but if there is a realistic chance that we can block the proposals and make the Home Office think again, we should do that on behalf of those people who live in the village.

I am told all the time by Home Office officials that this is a political decision. It will take the Minister or the Home Secretary to intervene, either to own the decision and say, "This is my decision, this is the right thing to do", or to own up and say, "It is not my decision, and this is the wrong place." There is lots of finger-pointing going on, but it cannot be that the fortunes of that village hang on a decision that no one will take ownership of. That is very much where we are. I would like to understand who owns the decision, and the rationale behind it in the context of other sites. I want the Minister to tackle the issue that I believe is at the heart of all this

—tell me I am wrong—that it is not simply that the availability of the site has superseded the suitability of the site. I cannot see any other justification for the selection of Linton-on-Ouse as the place for this asylum reception centre.

7.16 pm

The Parliamentary Under-Secretary of State for the Home Department (Kevin Foster): It is clear from what we have heard that my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) is a strong champion for his constituents. It will come as no surprise to them or to the House to hear that he has made regular and firm objections to the opening of an asylum accommodation centre at RAF Linton-on-Ouse, in addition to those he has made clear tonight.

Our asylum system is broken. It is not delivering value for taxpayers; it is not delivering for those who are genuinely in need of protection in our country. We need to change and accommodation centres are part of that. Our nation has a long and proud history of supporting those in greatest need, as do many communities across Yorkshire. I take on board the points my hon. Friend made that this is not about his objecting to the idea that communities across Yorkshire should provide refuge; it is about his views on this particular proposal. In other contexts, such as Afghan resettlement and supporting those from Ukraine, he has been very clear that he wants to see his constituency play a full part in those efforts. It is essential that we reform our current system to crack down on those who abuse our hospitality so that we can focus on those genuinely in need of help. That is exactly what the Government are doing through the Nationality and Borders Act 2022 and our migration and economic development partnership with Rwanda.

As the House is aware, the UK has a statutory obligation to provide suitable accommodation and support to those who claim asylum and would otherwise be destitute.

The unprecedented and unacceptable rise in dangerous small boat crossings continues to put huge pressure on the UK's asylum system. That pressure is most keenly felt in the asylum accommodation estate, where demand significantly exceeds capacity. Alongside the enduring impact of the pandemic, that has resulted in a significant increase in the numbers of asylum seekers needing to be accommodated. Many have had to be placed in hotels at huge expense to UK taxpayers. Hotel accommodation is now costing the taxpayer nearly £5 million per day. This is not appropriate or right and cannot continue to be the default option if we need to find someone a bed for the night to meet our statutory duties.

Whatever one's view in the debates around asylum policy, everyone will recognise a need to reduce the use of hotels and provide more suitable accommodation for those seeking asylum, which is why the Government are taking forward work to design and implement asylum accommodation centres, of which Linton-on-Ouse is the first. I would like to set out why the Government are progressing the use of the site, what accommodation centres are and why we are adopting this model, which is already successfully used in Greece and other European countries.

The Home Office has been working with Government agencies and public sector bodies to identify suitable locations for accommodation centres. It is safe to say that there are not large numbers of sites available for us

to pick from. Following substantive work with the Ministry of Defence, RAF Linton-on-Ouse was identified as a viable location to develop an accommodation centre. That is because the site offers many established accommodation units and amenities that have been kept in reasonable condition, given its previous use, including canteens and recreational and sports facilities together with education, religious, medical and office facilities that will support its use.

The presence of those existing facilities means that the Government can move at pace to meet the increase in demand and use the centre as part of the move away from hotel usage. A site such as RAF Linton-on-Ouse allows the Home Office to provide services and activities for those accommodated there, minimising the impact on the community and local services more widely. As I touched on, the accommodation centre model is part of a wider transformation designed to make the system more efficient and effective.

David Simmonds (Ruislip, Northwood and Pinner) (Con): I very much commend and agree with the Minister, but I note that in correspondence I have received from the London Borough of Hillingdon, which serves much of my constituency, the costs to the local authority of providing services to refugees housed by the Home Office is currently about £1.8 million, of which just over £100,000 is met from Government funds. Does he agree that it would help to reassure local authorities such as those around Linton-on-Ouse—and, indeed, my local authority—if we had a clear guarantee that the costs to council tax payers would be met in full?

Kevin Foster: As my hon. Friend will be aware, we already have a consultation under way about a major reform to the dispersed accommodation system. As he will know, we are moving to a full dispersal system in which all local authorities will be involved—previously, not everyone was involved—and part of that is looking at the cost to local authorities. There is a slight difference with accommodation centres in that in such sites a number of facilities are provided that we would not provide at each individual location where dispersed accommodation is provided. We cannot realistically provide it in contingency hotels. As he will be aware, the London Borough of Hillingdon has quite a large number of people in contingency hotels and I think that, whatever our views on the proposal and some other aspects of asylum policy, we can all agree that we need to move away from that. It is not good for them, for the taxpayer or for the local communities.

Kevin Hollinrake: The Minister makes a good point that the number of sites that might fit the bill are few and far between and that the site's accommodation may be suitable, but does he not agree that, in the interests of the asylum seekers, it would be better to have the centre where people could access other amenities, leisure facilities and public services? Surely he can see that the selection of a site that completely lacks all those things is pretty sub-optimal.

Kevin Foster: We can look at what will be provided on the site. For example, it is fully catered, so there will be three meals a day for those accommodated there. We will provide a number of basic services and facilities for recreation and entertainment and, on top of that—this is perhaps one thing we were to come on to—we will

[Kevin Foster]

provide the ability to progress cases while on site, such as doing the pre-interview questionnaire and conducting the substantive asylum interview so that people's cases can be processed more efficiently. We believe that that will deliver a better outcome overall. We are working on healthcare and other areas as well. Again, it is about the balance between having numbers in one location where we can provide a number of services versus more dispersed accommodation where we do not supply specific services and people may be more reliant on those in the community.

Alison Thewliss *rose*—

Kevin Foster: I will take one more intervention, but, given the time, I do want to respond to some of the other points made.

Alison Thewliss: I appreciate the Minister giving way. Will he explain exactly how people will get legal support on site in a village in the middle of nowhere? Would he not be better to go back to the alternatives-to-detention pilot projects, the recommendations of which the Government have accepted and which have been found to be a cheaper and better option for all involved?

Kevin Foster: Again, it is worth pointing out that people are not detained on the site. Transport will be provided to York, and they will also have access to legal aid and migrant help services. Again, a place where, for example, we can progress asylum interviews—a place with video conferencing technology and other things available—will lead to better outcomes for people than being in a hotel, which for many is the alternative.

I am conscious of the time and want to respond to some of the points made by my hon. Friend the Member for Thirsk and Malton. We have said that we will start small, with only about 60 people accommodated at the site in the first instance. That will be followed by a phased approach, with numbers gradually increasing to ensure that services are appropriate and that the site operates as we expect. To reassure my hon. Friend, the final decision to place service users on the site will only be taken once the services are in place and we are clear it is safe and legal to do so. As touched on, all asylum seekers will receive a thorough induction, including site and local information. The site is fully catered and there will be a number of recreational facilities. I am sure colleagues will appreciate that it is not a holiday camp, but there are facilities that allow people to occupy and entertain themselves.

I have heard the very strong representations made about the impact on people living in the local area. I will provide some further detail on local services. Only single adult males with low health vulnerabilities and the lowest level of additional needs will be accommodated at the site. That is specifically to ensure that local health services are not unduly impacted by the creation of the new centre. Those being accommodated will already have undergone a robust screening process consisting of mandatory checks, which include the capture of biographic and, crucially, biometric data. That information is then cross-referenced against a number of systems to verify a person's identity. Furthermore, Serco will have a comprehensive security model for the site, which will be scaled up as occupancy increases, ensuring a presence on the site. I am sure colleagues will appreciate why I

will not go into the full details of security arrangements on the Floor of the House, but there will be a presence. In addition, we have set up multi-agency forums, which include the police, to develop approaches for responding to any potential incidents.

My hon. Friend touched on engagement. He has certainly engaged regularly on this issue with me, my right hon. Friend the Home Secretary and senior Home Office officials. Earlier today, he was again making very clear his thoughts on particular things. At every meeting he has been very clear that his view is that it should not go ahead and that he wants to raise his concerns. We now have regular meetings with key partners, including from the local authority, police and fire, who can raise operational points relating to the site. Having met the leader of my hon. Friend's local council, I know that it supports his objections, while engaging on the operational side. It is very clear that it will do so while not compromising on its overall view of the proposal.

We recognise the need for an open dialogue with the local community. We are putting in place a programme of communications to keep people in and around Linton-on-Ouse informed, alongside meetings for local people to attend. We recognise the strength of feeling in the local community on this issue. There is a strong determination within the Home Office to ensure that everything possible is done to answer people's questions and lessen their concerns, while recognising the objections being made, including by my hon. Friend who represents them in this place.

My hon. Friend raised a couple of specific points. One was in relation to the families-in-service accommodation within the wire of RAF Linton-on-Ouse. As he touched on, they have been offered the chance to move from the site. They are on the site. My understanding is that they would have liked to have been aware that being on the base itself would not be permanent accommodation, given the fact that the RAF has ceased using it for flying operations. Clearly, the presence there was due to be run down, but provisions have been made to ensure that they are there.

We today received a letter from the Vale of York clinical commissioning group setting out its approach to primary care services for the asylum seeker population at Linton-on-Ouse. Again, to reassure my hon. Friend and the House, it is our intention that we would not look to house those with significant health needs at Linton-on-Ouse. If people developed those needs or vulnerabilities while on the site, they would be considered for being housed elsewhere, recognising that this type of facility should not put undue pressure on particular parts of local health services, including—my hon. Friend has been very clear on this point—mental health services. It should not just be seen as a matter of physical health.

I recognise the points made by my hon. Friend. He has been a very strong advocate for his constituents. This is not a decision the Government have taken lightly, but the need for action to reform our asylum system is abundantly clear and part of that includes accommodation centres. The Government will not shy away from taking the necessary steps to fix our broken asylum system and to ensure we have an accommodation system that is no longer reliant on hotels as the default option.

Question put and agreed to.

7.29 pm

House adjourned.

Westminster Hall

Tuesday 24 May 2022

[HANNAH BARDELL *in the Chair*]

FCDO Diplomatic Staff: Funding Levels

9.30 am

Valerie Vaz (Walsall South) (Lab): I beg to move,

That this House has considered funding levels for diplomatic staff in the Foreign, Commonwealth and Development Office.

It is a pleasure to open the debate with you in the Chair, Ms Bardell, and I start by thanking Mr Speaker for granting it, and the House of Commons Library for producing a debate pack on this extremely important subject.

The debate is about the United Kingdom's place in the world—the new global Britain—and it is important because it takes place against a background of huge uncertainty for those who work in the Foreign, Commonwealth and Development Office. The Library debate pack is extremely useful in setting out the various media reports, and we have had previous debates, Select Committee inquiries and questions, but those have elicited only a simple response, which is, “We'll let you know in the spring.” The last time I looked, May still counted as spring. As the saying goes, “Ne'er cast a clout till May be out.” When May is out, we can plant our geraniums—I say that only because I have just been to the Chelsea flower show; I was on a fact-finding mission.

The debate is timely because the Foreign Office is one of the great Departments of State and it is in a state of uncertainty—so uncertain that on 15 December, as the news trickled out of a 10% cut, the Chair of the Foreign Affairs Committee, the hon. Member for Tonbridge and Malling (Tom Tugendhat), questioned the Prime Minister about that, only for the Prime Minister to say that it was “fake news”. Here is my first question to the Minister: is it fake news? Is there a 10% cut to the Department, and if not, what is it?

What we have had is a reorganisation, and I am not clear—I am not sure whether other colleagues are clear either—whether that reorganisation has been factored into the cuts. Effectively, we have a new Department, which is undergoing a seismic shift through the merger and reorganisation of two Departments, although some would say it is three: the Department for International Development, the Department for Exiting the European Union and, of course, the Foreign Office, which does the core work.

DFID has already lost 0.2%—effectively £4 billion—of its budget. That involves the vital work of helping those who need our support the most, whatever the historical reason for their being in that position. DFID is important for aid and for development; those are two separate things. Development can mean sharing experience, such as what is the best local crop to grow to feed people, rather than to service a debt.

My next main theme is the funding of outside organisations. We are an outward-looking nation—that is what we want to be—and we need to think again about cuts to outside organisations that have expertise

and connections with civil society. The Government's strategy for international development, which was published on 16 May, stated that the Government aim to cut the portion of the budget spent through multilateral organisations such as the United Nations from 40% to 25%. The United Nations is a worldwide organisation, and the last time we heard such a thing the President of the United States became the former President of the United States. The United Nations is important to the world coming together, and it will be vital not least as we rebuild Ukraine and in Yemen—the place I was born—where it has a huge input. Will the Minister tell us the figure for the cut to the United Nations part of the budget, and when is the cut likely to be made?

Another organisation I want to mention is the British Council, whose role is to promote arts, culture and education, strengthening our relationships with other countries. It has said that it intends to close offices in 20 countries, just when we need to promote global Britain, and to make a 20% cut in staff. Will the Minister tell us what further cuts there will be? Last night, the chair of the British Council all-party parliamentary group, the hon. Member for Basildon and Billericay (Mr Baron), wrote to us all to ask for the cuts to stop. Some £13 million has been made available to the British Council, which means that it is not going to close its offices in New Zealand and Australia.

What about the BBC World Service? That is also an important, outward-looking organisation. As I said, I was born in Aden, and I grew up listening to “Lillibullero”. Anyone who has listened to the World Service will know that tune, which still goes round in my head. My parents would have the radio on at breakfast as we got ready for school and they got ready for work. It is important for listeners around the world to have that impartial organisation, which is a trusted news source. Daw Suu said that she used to listen to the World Service. It was a lifeline for hostages such as Terry Waite, John McCarthy and Brian Keenan, as it is for everyone who listens to it while living under autocratic Governments around the world.

I am not clear from the Minister whether the World Service has yet received its funding, or whether that will increase every year. A flat rate is effectively a cut, and we need to ensure there is no cut. The Government learned the lesson when they made cuts to the World Service in 2010, when I first came here. They realised how important it was to project a proper, trusted source of news. It is needed ever more so now, especially in Ukraine.

We had a debate on the Westminster Foundation for Democracy, in which the Minister announced funding for that organisation, and I thank the Government for that. However, there was a 29% cut during the pandemic, and the increase now is only 25%, which still means a cut. This organisation does vital work in ensuring that democracy is promoted around the world, and will have to do much more, because there are many failed states, which have been ravaged by war.

What the Foreign Office does best is diplomacy, and diplomacy matters. That is why it is essential to have a strong Foreign Office for our global Britain. I saw diplomacy on the ground at first hand during a Speaker-led visit to Burma. We saw how embassies reached out to organisations in civil society. We did not meet just the great and the good at the embassy; we met those who

[Valerie Vaz]

were arrested on the street. It was good to speak to them and to see that the Foreign Office was not taking over what the countries have to do but supporting the move to democracy, which made a huge difference.

The work of the Foreign Office is different from that of DFID. There were people from DFID there, but it is important to keep that work separate. Former ambassadors have said that missions need to be able to travel and engage with people. The concern is that, if staff are cut from the Foreign Office, they are unable to do that core work, which is what they do best.

I want to raise the cases of Morad Tahbaz and Mehran Raoof, two British citizens who are still in Evin prison. They have not been released, despite the debt being paid. Will the Minister look into those two cases? That is how diplomacy works. It takes time, and people are skilled at that job. When we were part of the EU and had shared interests, all that work could be divided up, but now the UK is effectively alone. It has been suggested that, by leaving the EU and making cuts in the east Europe office, we might have missed some of the signals regarding the invasion of Ukraine.

This is the time to strengthen democracy and the work of the Foreign Office, not to cut it back. Even after elections, we still see what we call democratic dictators, and people do not have a chance to hold to account the Governments they have perhaps elected.

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): The right hon. Lady is making a powerful speech. We are seeing the Government push all Departments to make significant cuts to headcounts, and civil service salaries have been stagnating for years. Does she agree that putting our diplomatic services under too great a strain severely risks our ability to build on our international relationships?

Valerie Vaz: I thank the hon. Lady for her intervention. As she will know—she has clearly been listening to what I have been saying—it is so important for the future of the staff and the country that we make sure those staff are properly skilled and are still in place. The world is in turmoil, and we must make sure that people with level heads are still there, with the abilities and experience they have.

I pay tribute to the acting high commissioner in Delhi. When the pandemic first started, Jan Thompson was there, available for all Members. I think she physically saw every single one of my constituents on to the plane. She was absolutely exceptional: she answered every email and made sure that every constituent who had a medical issue was on the plane back. That is the kind of public interest work that our diplomatic service personnel undertake for us.

I have some important questions to ask the Minister. We have assets around the world—our embassies—and she will know that our embassies in Bangkok and Japan have been sold off. Those are public assets; they belong to the people of the UK. Could the Minister confirm that no more embassies will be sold off? Could she also publish an analysis of where the cuts have fallen so far, and will she confirm that the extra staff announced in 2020 are not a rehash of the staff who had previously been announced? Sometimes, when announcements are made, we cannot keep track of whether the same announcement is being made over and over again.

In its pack, the Library helpfully enclosed a letter that was sent to the Chair of the International Development Committee, my hon. Friend the Member for Rotherham (Sarah Champion). It is a public letter from the Foreign Secretary, dated 21 March, in which she helpfully set out how many staff there are and what the directorates of the organisations are going to look like. Could the Minister confirm which regions will see these cuts in staff? Will that be decided by the directorate or the Foreign Secretary? There is a board; will the policy be set by the Foreign Secretary and signed off by her, or will it be a matter for the board?

Would it be possible to have an organogram of all the staff who are affiliated to each of those directorates? Many staff were taken on during the pandemic. We are told that they are not needed now, but more and more are needed post pandemic and post leaving the EU. The work is actually increasing. Having been a civil servant, I know that as soon as someone leaves, someone else is given the bunch of files they had and has to do more work. It is important to think about our staff. I also ask the Minister whether a voluntary exit scheme is now in place.

Our staff should not be left in limbo or in the dark about their jobs. We now have a position in the Foreign Office of hiring, then firing, and now possibly rehiring, given the work that is going on. As President Zelensky said this week, diplomacy is going to end the war. We saw that intractable position in Northern Ireland, and resolving it required diplomats, including Jonathan Powell, to name just one, and people around the world such as Senator George Mitchell—those with whom we have built up relationships, who have looked at the UK and seen the strong diplomatic service we have. That was so important; it is a beacon of hope around the world. I talked about it when we were in Burma, and we should never forget the important things we did in Northern Ireland.

In “Global Britain in a competitive age”, under the heading “Global Britain in Action”, the Government speak of

“an approach that puts diplomacy first.”

The essence of democracy requires that this great office of state survives and is enhanced.

9.44 am

Jim Shannon (Strangford) (DUP): It is an absolute pleasure to speak in this debate, Ms Bardell. It was a pleasure to hear the right hon. Member for Walsall South (Valerie Vaz) put forward her case. She asked me last week whether I would be here; I said, “Does night follow day? Yes, of course I will.” I am very pleased to participate. The right hon. Lady made some good points about the diplomatic staff in the Foreign, Commonwealth and Development Office, which I concur with. We should put on record our thanks to all the staff; I know I have conveyed those thanks on many occasions to this Minister and other Ministers, but we could not survive or do many of the things we do if it was not for the interpretation of events by those staff, and I want to speak a wee bit about that.

I also want to comment on the right hon. Lady’s reference to the progress that diplomatic staff made in the Northern Ireland political process—the right people were in the right place at the right time with the right attitude. Many diplomatic staff were part of that; they

were maybe not household names, but they were behind the Mitchells of this world, Prime Minister Tony Blair and Clinton. Many others made it happen, and we should never underestimate the good work that these people do.

As chair of the all-party parliamentary group for international freedom of religion or belief, I want to sow into the debate the importance of diplomatic staff being aware of all the issues. When it comes to the Minister, I know that I am pushing at an open door, because she always comes back to me. I watch her in the Chamber, and I know she understands this issue really well, but just for *Hansard* and for the record, I would like some understanding of where it features.

This July there will be an international ministerial conference on freedom of religion and belief, headed by the FCDO. That shows a real commitment from Government and Ministers, including the Prime Minister, to this issue. I am very hopeful about the conference, and I will play a small role in it, but I give credit to the hon. Member for Congleton (Fiona Bruce), who has been very active in this matter. The conference will provide an opportunity to cast a light on the good work that the United Kingdom of Great Britain and Northern Ireland does to promote freedom of religion or belief for all, and on what can and should be done by all countries everywhere to protect this fundamental human right. The Government's sponsoring, helping and promoting of the conference in July will help to do that and show the good things that the FCDO does across the world. The invitation list includes people from all countries across the world, which will energise the conference and be to the benefit of everyone.

One area of impact is each state's diplomatic service. All too often, freedom of religion or belief is considered a peripheral concern to human rights or a humanitarian crisis in a given country, rather than integral to achieving not only a country's strategic objectives but the overall state of freedom. As long as states fail to understand the centrality of freedom of religion or belief in the wider political context, and fail to give full exterior support and backing in diplomatic circles, stable Governments and peaceful co-existence will remain a far-off dream.

Just this morning there was a news story about China. There is an evidential base documenting China's suppression of the Uyghurs. That goes as far up as the President of China himself. I know we try to do things diplomatically, but sometimes we have to be critical of what other Governments do. We need to be critical of China, as we are of many other countries across the world. This is an example of the Chinese Government failing to look after their minorities—not just the Uyghurs but Christians, whose churches are destroyed or who are unable to worship. Members of the Falun Gong, a small religious sect in China, are not able to express their views in the way they should. There is the systematic removal of organs of Falun Gong members and many others who just happen to have a different opinion from the state. Those are the things that the FCDO highlights across the world and that FCDO diplomats and officials have a responsibility to highlight.

Margaret Ferrier: A constituent who works for the FCDO in East Kilbride wrote to me. He is unbelievably stressed about the rising cost of living and his minimal annual pay award, and he tells me that he may be forced

to leave his job. Does the hon. Member agree that tightening the budget impacts not only on frontline diplomatic services, but on everything that FCDO officials do behind the scenes to make things work?

Jim Shannon: I thank the hon. Lady for, as always, bringing very wise words to the debate. Yes, it is important that staff are remunerated in such a way that they can continue to do the job. I often think that diplomatic staff are perhaps called to it as a vocation because they have a really deep interest in the subject matter. But any person who does any job deserves to be remunerated correctly. I thank the hon. Lady for that point.

It is vital also that diplomatic staff in the FCDO receive adequate funding so that key elements of its work do not suffer. Corners must not be cut; the service will suffer and be reduced. For example, the highest level of training for desk officers comes at a price. We do not produce great officers and great staff on a low budget or a low wage. And when they come with the quality that we have, there is good reason to spend the money on their training. It is through that bespoke training, not through complacency on religious literacy, that British diplomacy can truly lead the way in promoting democracy and the rule of law. I believe that soft power has a really strong role to play; I am talking about the soft power that the FCDO staff display in their engagement. I wanted to mention that as well, because I think it is really important.

The issues where we need this diplomacy range from the heartbreaking advance of the Taliban in Afghanistan and neighbouring countries' responses, through to Russia's use of the Orthodox Church in its own soft diplomacy. I have watched that happen in a very perverse way, if I can say that, because I think the way it does it is wrong. The fact that the Ukrainian and Russian Christian Orthodox Churches have divided themselves and the Ukrainian Church has come away from the Russian Orthodox Church tells me that many of the churches and priests are unhappy with what is happening.

We need diplomats who understand the intricacies of these situations and are literate in religion, so that Britain can be relevant in resolving today's conflicts. I am always greatly amazed and encouraged by what the staff do. That is why, in my role as chair of the all-party parliamentary group for international freedom of religion or belief, I urge our Government to consider religious literacy training as a top priority for funding when it comes to considering the FCDO spending levels. We need diplomats who understand religion, so may we have an assurance from the Minister that that training will take place among our diplomatic staff, and that it will be a priority? I understand that the Government have given it a priority, along with other things, but I think it is important that we know that our role as the United Kingdom of Great Britain and Northern Ireland is a role that can help to resolve problems across the world.

We need diplomats who understand the centrality of religion and belief to geopolitical dynamics, international security and overall governmental stability. It is really important that we get this right, and that we then can portray it across the world. And if we want our diplomats and civil servants to advance freedom of religion or belief for all, and therefore contribute coherently to the overall human rights situation in any given country, we

[Jim Shannon]

need to ensure that the training of civil servants in freedom of religion or belief is funded adequately. I should perhaps say that I have been on the road since half-past 3 in the morning, so my voice may be a wee bit dry after the plane flight.

I receive regular emails on this matter each week. Many of my constituents follow the issue daily and weekly, and they contact me about it, so I seek from the Government and from the Minister an assurance that there is a commitment to these standards, and that these roles will continue to be key roles for the FCDO across the whole world.

I conclude by acknowledging that this is merely one of the many demands on the FCDO budget. I understand that we are constrained by moneys and we cannot expect to spend moneys ad infinitum, but whenever we see something good that can deliver for us, it is money well spent; that is how I look at it. It is no surprise that we want more, not less, funding for the key roles that our diplomats play. It is vital that the Government fund their work sufficiently, so that they may be an asset to our country and to our promotion of human rights and democracy abroad.

As the world becomes increasingly Zoom-friendly, feet on the streets, building relationships and face-to-face contacts are important. During the two years of covid, Zoom meetings were a useful way of contacting people, but they were never ideal. It is nice to come and see people again and shake hands. We have events across our constituencies, as I did last night, and it is nice to shake hands and press the flesh. It is important to do that, so face-to-face contact, shaking hands and having a meal and a chat are really important, as is taking time to understand the culture and nuances that can be understood only by living somewhere and not doing it from a distance.

It is essential that we retain our diplomats in the right places and invest in a support structure for them that reaps benefits for international relations and the strengthening of relationships. With that in mind, I fully support what the right hon. Member for Walsall South has said. It is important, and we look to the Minister for an adequate response to our concerns.

9.56 am

Chris Law (Dundee West) (SNP): It is a pleasure and a pleasant surprise to see you in the Chair, Ms Bardell. I thank the right hon. Member for Walsall South (Valerie Vaz) for securing this important debate today and for raising really fundamental concerns; and it is always a pleasure to follow the hon. Member for Strangford (Jim Shannon).

The Prime Minister's foreword to the integrated review boasts:

"The UK will continue to be renowned for our leadership in security, diplomacy and development, conflict resolution and poverty reduction."

What a boast that is. Since it was published just over a year ago, we have seen the UK abandon that leadership in a number of the areas mentioned.

To begin with, in development, the UK Government have doubled down on their tragic decision to cut lifesaving aid spending from 0.7% of GNI to 0.5%,

ensuring that that supposedly temporary cut will be in place for years to come owing to the fiscal tests required to return to 0.7%.

In addition, poverty reduction was barely touched upon in last week's international development strategy, with trade and investment opportunities proving to be the focus and driving force behind that strategy, rather than the globally agreed UN sustainable development goal No. 1 of removing poverty. Secondly, commitments to conflict resolution have been undermined by cuts to the conflict, stability and security fund, significantly so by cuts to programmes in the middle east and North Africa, and also by cuts to other programmes in fragile and conflict-affected states. All that has undermined the UK's own national security in the process and damaged the UK's ability to lead and be trusted on the global stage.

The FCDO has also been guilty of several gross diplomatic miscalculations, including the shambolic military and diplomatic withdrawal from Afghanistan—indeed, the Foreign Affairs Committee is calling for the resignation of Sir Philip Barton today—as well as the diplomatic fallout that resulted from France being excluded from the AUKUS security pact, and the UK Government's renewed antagonism of the EU over the Northern Ireland protocol, with threats to unilaterally end that legally binding agreement. Rather than projecting an image of a stable, reliable international partner, the UK looks impulsive, short-sighted and removed from reality.

Diplomacy cannot be the next victim of cuts, particularly if the UK wants to repair its damaged reputation on the world stage. In December, the Prime Minister told the House that a reported FCDO staff cut of 10% across the board was, in Donald Trump's famous words, "fake news". That was reiterated by the then Minister for the Middle East and North Africa, the right hon. Member for Braintree (James Cleverly), who said:

"There will not be a 10% staff cut and Ministers will make the final decisions on workforce changes in the spring."—[*Official Report*, 16 December 2021; Vol. 705, c. 1155.]

Yet within the last weeks, the Government have revealed their target of cutting 91,000 civil service jobs. Will the Minister address how many of those jobs will be cut in the FCDO and how that will affect diplomatic staff?

Over the weekend it was reported that the Cabinet Office was poised to write to all permanent secretaries, asking them to model what would be required to slash staffing numbers in three different scenarios. The fascinating bit about that is that when working out the 91,000 figure, the answers should be there before any asking is done. But no; let us have a look at this. What scenario does the Minister expect for the FCDO? The cuts, according to the different scenarios, are 20%, 30% and 40%. That is like the back of the proverbial fag packet. Are those figures not in excess of the 10% cut dismissed as fake news by the Prime Minister in December, or will the jobs within the FCDO be ringfenced—yes or no?

The Foreign Secretary said in March that her staff would not be cut, and would instead be redeployed to key geostrategic areas. There is no coherence in the Government's statements or certainty for FCDO staff, with a spokesman for the PCS union stating:

"Morale is incredibly low, and there's a feeling of understaffing in some areas, with people being shifted from crisis to crisis."

So we go to the very heart of the question: when we are still in the midst of a global pandemic, threatened by a potential global food supply crisis, facing a climate

catastrophe and witnessing war in Europe once again and across the world, is this really the time to be considering cuts to diplomatic staff? All those challenges are international in their scope and consequence, so diplomats should have as much funding and resources available to match the UK's ambition to be a force for good in the world alongside allies, rather than being hampered by cuts to staff and funding.

Jim Shannon: I should have said this in my contribution, but I wish to make the point that the hon. Gentleman is outlining the importance of the staff. I am not sure whether people read the obituaries in *The Times*, but if they do and they look at the diplomats who have contributed across the world, they will find their commitment, interest and knowledge, and the way that they have used their positions on behalf of this good United Kingdom, incredible. The hon. Gentleman is very right in what he says: the importance of diplomats can never be underestimated.

Chris Law: I thank the hon. Gentleman. On that important point, institutional memory stretches across years—decades, in fact. With Governments coming and going, whether Labour or Conservative, diplomats are a continuing presence and the mainstay of the voice for the UK. So cutting staff is short-sighted; it is brutal, and most of all it means that our reach in the world is fundamentally more short-sighted, so that we go from one crisis to another.

To add insult to injury, efforts to address global challenges have not been helped by the deeply mistaken merger of the Department for International Development into the Foreign Office. The fundamental fear that the expertise that had made DFID world-leading would be diminished as a consequence is now coming to fruition. Earlier this year, it was reported that nearly 100 former DFID technical directors left the FCDO between September 2020 and November 2021, with no one hired to replace them. In fact, there are recent reports of how the German Government have benefited from some of those people, who have gone over to help with their international development. The Institute for Government director Bronwen Maddox recently told a House of Lords Committee that it was frequently heard that DFID people were not convinced that the Department was the place for them.

Furthermore, an FCDO official told *Politico*:

“The department is so unwieldy right now. It's like three departments shoved into one, with all the responsibilities of DfID and [the Department for Exiting the European Union] DExEU and now a war.”

Not only has the merger resulted in death-sentence cuts to millions in the world as a result of an erosion in the aid budget and the focus on poverty reduction; it has also caused talented staff to leave and added to the confusion and lack of direction within the Department. That simply cannot continue. Funding levels for diplomacy need to be maintained, with funding for aid and development restored, at the very minimum.

Another area of expertise that has not been touched on so far, but which is just as important and needs sufficient investment, is linguistic capabilities. For example, the number of fluent Russian speakers in the Foreign Office fell by a quarter in the years before the most recent invasion of Ukraine—let us not forget that the invasion of Ukraine began in 2014. Given the security

challenges of today's world, it is essential that across Government, staff are equipped with the correct skills to predict and handle the myriad international security problems. The UK Government must address those linguistic shortcomings as a matter of urgency. What assessment has been made of staffing cuts and the FCDO's ability to operate across languages?

Finally, the SNP will of course continue to push the UK Government to adopt a foreign policy akin to the good global citizen policy proposed in the Scottish Government's recently published global affairs framework. That framework aims to amplify marginalised voices, share experience in policy making and learn from others on global issues, such as global inequality, migration, human rights, biodiversity and, of course, the changes in climate that are looming ever closer. Scotland is looking out to the world to build friendly and socially conscious relationships with others, while the UK is retreating and looking inward, viewing aid and diplomacy as a profit and loss exercise.

Faced by the own goals of Brexit, departmental mergers and budget cuts, alongside the global challenges of conflict, climate change and health and food crises, it is ever more urgent that the UK has a full-scale rethink of how it conducts itself on the world stage. Cuts to FCDO diplomatic staff funding would simply be another own goal, and another indication that “global Britain”, as they call it, is nothing but a worn and ragged slogan.

10.5 am

Fabian Hamilton (Leeds North East) (Lab): It is a pleasure to serve under your chairship, Ms Bardell. This debate is very timely, so I thank my right hon. Friend the Member for Walsall South (Valerie Vaz) for securing the debate. It comes at a time when our country's place in the world, and the influence we possess as a democracy, is under attack from authoritarian forces around the globe. My right hon. Friend made some important points. She thanked the House of Commons Library; where would we be without our wonderful Library and the important briefings it regularly gives us? She said the debate was timely because that mighty office of state—the Foreign, Commonwealth and Development Office—is now in a state. Will there be a 10% cut to FCDO budgets? We will let the Minister tell us more.

My right hon. Friend rightly pointed out that DFID had lost £4.2 billion from its budget through the temporary cut of 0.2% of GDP. I have seen, as have many hon. Members from across the House, the good that our development aid money does all across the world. We have seen the schemes that relieve poverty and push people into self-reliance when they have not had that before, thanks to our expertise, our knowledge and the money we can give through our development and aid budget. My right hon. Friend rightly said that development and aid are two different issues, but they came under that one Department. It was praised throughout the world, not only for value for money but for the expertise and the development that it helped give to so many of the poorest communities across the world.

My right hon. Friend rightly said that the UK is an outward-looking nation. We have always been an outward-looking nation, and we have always tried to maintain our place in the world and the reputation that we have rightly earned. The cut to the budget of the United Nations is, as she said, a deeply serious issue. She asked what the actual cut would be; we await the answer.

[*Fabian Hamilton*]

I have heard from many British Council workers that the British Council, for which I have shadow ministerial responsibility, is closing its offices in 20 countries—just when we need it the most. I also have shadow ministerial responsibility for the BBC World Service. I have had a connection with the World Service almost since I was first elected as an MP in 1997—nearly 25 years ago. I used to listen to the World Service as a child growing up in London and Essex; my right hon. Friend listened to it in Yemen, the country of her birth, where she grew up and went to school. All across the world, the BBC World Service is trusted as a source of news that is balanced and neutral. It is not fake news—it is real news.

I recall the veteran broadcaster Baqer Moin, who was head of the Persian language and Farsi service many years ago—he won an award for his work—telling a story about going to Afghanistan after its first liberation from the Taliban in the early 2000s. He went into a local shop, and they asked him in Farsi—in Dari, I think it was—“Where do you work? Where are you from? Your accent is different.” He said, “I am actually Persian-Iranian, but I work for the BBC World Service.” They said, “Ah, the World Service—the radio that kept us going and gave us hope throughout the dark years of the Taliban. What’s the weather like in BBC World Service today?” They thought it was a country on its own.

My right hon. Friend spoke about the Westminster Foundation for Democracy. It is really good that the funding was announced during the debate, but it is still a cut, as she said, and that resource is essential for failed states. Diplomacy matters more than ever today. She mentioned the two remaining British citizens in Evin prison in Tehran—let us not forget them. My right hon. Friend and I met one of the released prisoners at Speaker’s House last week; he still has nightmares, and will do for many years to come. I hate to think what Nazanin is going through and what the two prisoners, and the others who are still in Evin jail, are suffering. As my right hon. Friend said, now is the time to strengthen the FCDO, not to cut it.

We should never forget about the excellence of our diplomats. The hon. Members for Strangford (Jim Shannon) and for Dundee West (Chris Law) drew our attention to that important point. Our diplomats are praised throughout the world, and we cannot threaten that excellence. I always call the hon. Member for Strangford my hon. Friend, because he always attends these debates and makes really important points. His contribution to the debate was not just to thank all our diplomatic staff, but to point out the importance of FCDO staff in protecting freedom of religion or belief—something for which he has been an unswerving spokesperson for all the years that I have known him and, I dare say, many before.

FORB, or freedom of religion or belief, is essential to democracy in any country, and, by implication, the FCDO is essential to protecting and promoting it. The hon. Member for Strangford said that it is vital that staff in the FCDO receive adequate remuneration, or we will not continue to see the high-quality diplomacy that we have grown used to and for which we have rightly had such a good reputation. He also said that soft power is essential, but comes at a price.

What the world needs to see from Britain right now is the confidence to be outward-looking and to engage with our international partners, which is why maintaining and improving our diplomatic service is so vital to restoring Britain’s place in the world. I spent 10 years on the Foreign Affairs Committee, from 2001 to 2010, during a time when my party was in Government, and I saw at first hand how brilliant our diplomats were—not just how good they were and how well they spoke languages in locations from Japan through to Tibet. We went to Tibet with the person who I think is now our ambassador in Beijing, and she not only spoke fluent Mandarin, but was able to contradict the official interpreters, who were giving us a false view of what was happening in Lhasa, by translating from the Tibetan, because she spoke fluent Tibetan. That is so brilliant, but it costs money. We must not cut back on language training, because it so important.

I have just got back from Cyprus, where our brilliant high commissioner has gone into all the communities to listen to the dialogue that is taking place between Turkish and Greek Cypriots. As a guarantor power, we have such an important role in Cyprus. Our diplomat is looked to by all parties to try to bring people together. He is nearing the end of his term of office there, but what a brilliant job he and all his predecessors have done to try to ensure that violence never returns to that divided nation, and that once again we can have a reunited Cyprus. It is our diplomacy that makes a difference in such places, where we have had a huge influence over the years, decades and even centuries.

Let me turn to Turkey, where the ability of our diplomats in Ankara to speak fluent Turkish, which is not an easy language to learn, means that they can appear on national television and give the British point of view in fluent Turkish, so that the public can understand where we are coming from and that we want to help Turkey to be better, more democratic and more open. We also want to encourage Turkey to ensure that there is a solution in Cyprus.

British diplomats have historically been revered for their professionalism and their passion for the values of this country that we hold so dear. It is time to empower them further, not subject them or their institutions to cuts and further squeezed budgets. Last December, it was extremely disturbing to learn that many FCDO-funded British Council diplomatic staff were trapped in Kabul, where, having been left behind during the evacuation, they were subsequently living in fear of reprisals from the Taliban. Our diplomatic staff and associated FCDO contractors deserve so much better than that, and it simply cannot be allowed to happen again.

Instead, we have heard worrying reports that the FCDO is to undergo another major restructure. The idea that the Government would pursue such a restructuring at a time of unprecedented international crisis is, quite frankly, staggering. The war in Ukraine rages on; now cannot be the best time to begin a complex restructuring of the UK’s most outward-facing Government Department. I would be grateful if the Minister could put those reports to bed today and, if there is to be a restructure, if the Government could reconsider the timing.

I also ask the Minister about her plans to extend the UK’s soft power, to which our diplomatic staff at the FCDO are central. Alongside the British Council and the BBC World Service, they form a vital part of our

presence and influence abroad. While reports of this restructuring include the creation of two roles focused on security, which is completely welcome, it is worrying that there is still no official whose role is focused on harnessing the UK's soft power. With staffing cuts apparently looming, it seems that that extremely important part of our strategic foreign policy could be further neglected.

The integrated review recognised that it was the Government's role to assist organisations in "building mutually beneficial international relationships" and to

"create a conducive enabling environment in which that independent organisations, assets and networks in every part of the UK can flourish."

With that in mind, will the Minister tell us what proportion of the FCDO staffing budget will focus on extending the UK's soft power?

Although it is clear that there will be cuts to the Foreign, Commonwealth and Development Office, as laid out by the Government in the spending review, it is not clear what form those cuts will take. As has been quoted during this debate, the FCDO last year told staff that there will be at least a 10% cut to staffing. The Prime Minister called that fake news, but several members of the Cabinet have failed to rule it out. For the sake of our international partnerships and FCDO staff livelihoods, the Minister really should make clear today what those plans are. This lack of transparency is needless and irresponsible.

Staffing cuts at the FCDO will cause unnecessary disruption to and dismissal of our obligations to the world's most vulnerable. They will undoubtedly damage the UK's reputation abroad and do nothing to strengthen our democratic values where they are needed most. Should the Government go ahead with cuts to our diplomatic service, it would serve as a slap in the face to our brave diplomatic staff who risked their lives to evacuate British people from Afghanistan. I urge the Minister to guarantee today that the enormous potential power and influence of the Foreign, Commonwealth and Development Office will not be blunted as part of the Government's huge cuts to our civil service. Britain's place in the world, no less, is at stake.

10.18 am

The Minister for Asia and the Middle East (Amanda Milling): What a pleasure it is to serve under your chairmanship this morning, Ms Bardell. I thank the right hon. Member for Walsall South (Valerie Vaz) for securing this important and wide-ranging debate. I will endeavour to cover many of the points that have been raised.

There is a commonality in many of the remarks made today—on the importance of the diplomatic service as an essential arm of the UK Government. As hon. Members have mentioned, our diplomats play a key role in protecting and promoting British interests around the world. They help us to establish and maintain strategic partnerships with our allies and partners, and address some of the major global challenges we face—everything from covid, climate change and the conflict in Ukraine to the protection of endangered species, and the control of arms and weapons of mass destruction. They help us to strengthen the defence and security partnerships that make us more safe and secure, and to

alleviate the suffering of the world's poorest and most vulnerable. They stand up for British values, open markets and the rules-based international order. They support British citizens abroad who get into difficulties, and champion British culture, science and technology. They bring prosperity and jobs to these shores by helping British exporters, attracting investment and negotiating trade agreements.

Our 280 overseas posts—coupled with our aid and development budget, which is one of the largest in the world—and our P5, G7, Commonwealth and other multilateral networks give us unrivalled global reach and influence. According to the most recent figures, the total net cost of our diplomats and permanently employed FCDO staff was less than £829 million. In the light of what they achieve for our country, that strikes me as good value for money.

I want to pick up on a couple of points that hon. Members have raised. We have all experienced the diplomatic network in post; we have heard about a number of different posts today. If I were to rattle off the list of posts I have visited in the past few weeks, it would probably be quite a long list and I would feel quite dizzy again. I want to place on the record my enormous thanks to our diplomatic network for all their tremendous work, including in incredibly challenging times—for example, the repatriation of British citizens at the beginning of covid; the 15,000 Afghan citizens who have come here; and the work of the diplomatic post in Ukraine. It has been a real pleasure to meet our diplomats in post to see what they actually do on the ground, because their work is wide-ranging. It is not just meetings with Government officials; it goes much further.

A core part of the debate was a discussion of levels of cuts to the Department, with a specific reference to the geographical and estate impact. The Foreign Secretary and her ministerial team will be making careful choices to ensure that we target the resources that we have secured through the spending review to deliver on the UK's international ambitions. That includes ensuring that we expand capability in areas to reflect the new priorities, including our geographical strategic partnerships in the Indo-Pacific, the US and other key alliances that are most critical to the UK. In addition, we look to further our ability to understand and influence China and, more widely, to further our country and regional expertise, global insights and analysis around the world.

As the Prime Minister and my right hon. Friend the Member for Braintree (James Cleverly) set out in the House on 15 and 16 December respectively, there will not be an across the board 10% reduction in FCDO staff. The Foreign Secretary also made that clear in her letter to the Foreign Affairs Committee on 10 January. There has been a public announcement that the civil service will look to reduce staffing to 2016 levels. No decisions have been made and I am not in a position to comment on specific impacts on the FCDO ahead of the work being completed by officials over the next few months, but the Foreign Secretary and the UK Government are committed to ensuring that we have the right people in the right places to deliver on the UK's international priorities. That means that we must be agile and ready to use the fantastic resources of our UK civil servants and overseas country-based staff in our many embassies and posts, as needed.

[Amanda Milling]

We have no current plans to change the overseas network significantly with regard to staffing or estates. Our regional footprint will continue to evolve and change, so that we modernise and update our overseas property estate. The mission of the FCDO is to pursue our national interests abroad and to project the UK as a force for good in the world. With that in mind, we want to ensure that we maintain a world-class platform from which we can promote UK interests while maximising value for money for the British taxpayer.

The Government advance national interests and champion the UK's many world-leading assets, including our much-envied democratic institutions, businesses, financial services sector and the City of London, schools and universities, NHS, scientists, researchers and innovators. We have just over 16,700 staff around the world, including the country-based staff employed by our embassies and posts in addition to the UK civil servants based in the UK and overseas.

The size of the workforce has increased by 8% since the 2015 general election, as the Government strengthened our relationships around the world in order to take advantage of our post-Brexit freedoms. Earlier this month, the Prime Minister set out the need for the civil service to focus on controlling expenditure and delivering the best possible value for taxpayers. In the normal way, the Cabinet's Efficiency and Value for Money Committee will work with the civil service departments to agree key parameters and workforce plans within the next spending review period.

As a Department, we have an ongoing dialogue with Her Majesty's Treasury, the Cabinet Office and the civil service's human resources experts, and we will set out our staffing requirements in the usual robust way. As the Prime Minister is a former Foreign Secretary, I assure Members that he fully understands the vital role played by UK diplomats and the FCDO.

I want to pick up on some specific points that were raised in this wide-ranging debate, including on the UN and multilateral channels. Spending more through bilateral channels will allow us to have more control over how taxpayers' money is used to achieve our goals. Multilateral channels will continue to be key to achieving our objectives and tackling global challenges that we simply cannot solve alone. Regarding the World Bank, we have reduced our commitment by 54%, but it is important to note that we remain its third largest funder. We have not yet finalised any decisions on allocations to specific institutions.

The BBC World Service was mentioned a number of times. We are providing it with a flat cash three-year spending review settlement of £94.4 million per annum for the period from 2022 to 2025. In 2022-23, we will provide an additional £1.44 million to counter disinformation in Russia and Ukraine. That settlement represents a good outcome for the BBC World Service.

Despite the challenging financial context, the Foreign Secretary agreed to provide the British Council with a total of £511 million of grant in aid funding across the 2022-25 spending review period, including £10 million to enable the British Council to avoid further closures.

The Westminster Foundation for Democracy is a key partner in delivering our objectives on open societies

and democracy. That is why the Foreign Secretary agreed to increase its grant in aid from £5.1 million in 2021-22 to £6.5 million a year from 2022 to 2025.

Turning to the FCDO pay awards, we are in dialogue with Her Majesty's Treasury to establish a process for pay controls. Officials are highlighting the significant variation in global inflation rates and the need for flexibility to react to labour market pressures in our strategically important posts. On language capability, I am always astonished by the excellence of our diplomats and their language skills, which are truly phenomenal—many of them speak numerous languages. We have more than 16,700 staff around the world, with a number of them engaged in full-time training, and we are committed to that training and the essential support it provides to the FCDO's diplomatic and development work.

A debate would not be the same if the hon. Member for Strangford (Jim Shannon) were not here. I thank him for all the work he does in advocating for freedom of religion and belief. We are committed to defending FORB for all and promoting respect for different religious and non-religious communities. Promoting the right to FORB is one of the UK's long-standing human rights priorities, and we will drive that forward through our international efforts at the UK-hosted ministerial conference that the hon. Gentleman rightly mentioned, which is taking place in July. Regarding training on FORB, Lord Ahmad and the Prime Minister's special envoy on FORB, my hon. Friend the Member for Congleton (Fiona Bruce), launched the core training unit in July 2021. That training is essential for FCDO officials in relevant posts, and is highly recommended for all FCDO staff. It is also accessible across Government. I reassure Members that the Department and the embassy in Tehran continue to engage with the Iranian authorities on behalf of the British nationals who seek consular assistance, and those in detention.

The temporary reduction in the official development assistance budget does not drive workforce allocations, but it is worth noting that, as set out in the spending review statement, the Government remain committed to the International Development (Official Development Assistance Target) Act 2015, and to spending 0.7% of gross national income on ODA once the fiscal situation allows. The international development strategy that was published last week is about helping partner countries, and low-income countries in particular, to build their economies sustainably through honest, reliable investment in infrastructure and trade. It is not about providing tied aid, or aid in return for trade. The UK wants to offer a clear alternative to malign actors, so that low-income and middle-income countries are not burdened with unsustainable debts and strings attached.

To conclude, some of this Government's most important achievements have been built on the work of our first-class diplomatic service—from the global collaboration that has helped us put the worst of covid behind us, to the agreements forged at COP26 in Glasgow, which can save the world from the most serious impacts of climate change, and our unflinching support for the brave people of Ukraine. I reassure right hon. and hon. Members that this Government will not do anything that undermines the UK's effectiveness on the world stage.

10.34 am

Valerie Vaz: I will not take the full amount of time available to me; everybody can go and have a cup of coffee or something afterwards, given the early start.

I thank everyone who has taken part in this vital debate. The hon. Member for Strangford (Jim Shannon) is an amazing institution in Parliament, and he is absolutely right about freedom of religion and belief. We must support everyone's religion, throughout the world, and ensure that they can practise their faith, whatever it is, or no faith at all, in freedom, and that they should not face persecution or have to leave their country in order to do so.

The Front-Bench spokespersons—the hon. Member for Dundee West (Chris Law) and my hon. Friend the Member for Leeds North East (Fabian Hamilton)—have touched on two different angles. We need to reward our staff or they will go somewhere else. With all of their expertise, there are many other demands on their time. As we have all said, they have not only the language skills but the diplomacy skills, and that is so important. It is time that we reward them and make them feel that they are wanted in this country.

My hon. Friend the Member for Leeds North East touched on aid. I recall that when Justine Greening was Secretary of State, she made sure that there was an audit of the aid given around the world. It was nice to see the UK aid branding on the backpacks of girls going to school. That was an amazing sight, and people do notice that.

I still come back, however, to the central point that this is about two different things: diplomacy and aid. We must be very careful about mixing the two, because they involve two different skillsets. In my view, if we start giving aid, it hampers the work that the diplomats do. We must be careful that we are not seen as funding certain organisations that then may be slightly subversive to a country's democracy. That is why the two separate skills are very important.

It is also important to acknowledge that, looking at this issue in the round, it is part of why people leave their war-torn countries. By ensuring that we do not reduce the skills of the Foreign, Commonwealth and Development Office, and by support people in their own countries, the migration issue will not be at the fore. We need to consider that in the round.

I thank the Minister for some of the commitments that she has made. I understand what it is like to stand up in a debate and make a commitment. I was warned, when I was a councillor, "If you say something, that is basically committed expenditure." However, I did not quite get an answer, other than, "It is not a 10% reduction",

and "No decisions have been made yet—they will be made in the next few months." I hope that does not mean that we will be back again with a further debate to find out exactly where the cuts, if any, will be made.

The Minister said that we need to have the right people in the right places. Well, that is the point about this debate and about the Foreign Office—because we do not know what is going to happen throughout the world. We do not know where the next flare-up will happen. It may be Russia and Ukraine now, but that is why we have the diplomats that we have. I do not feel that we actually got an answer from the Minister. I am pleased with the £94 million for the BBC World Service and that there will be an increase. The Minister said that it was flat cash, but there is £1.4 million extra for Russia and Ukraine, which is important.

I hope that, as a result of this debate and all Members taking part in it, people will realise what a wonderful Foreign Office and international development Department we have, that the expertise continues and, more importantly, that we need people to come in. As I have said, having worked in the civil service, I know that there are people who come in at ground level who are then trained up. We must not lose that. Very often, when there are cuts in Departments, people forget about the training aspect.

The point about the language skills, which my hon. Friend the Member for Leeds North East made so eloquently, is that someone has to be in the country to pick them up; they cannot just go to a school. They can learn it for GCSEs and A-levels, but it is better to actually be on the ground. I know that the Foreign Office has now taken the decision to have people who work and live in the countries as part of the team. I hope that that will continue, because it will certainly make our presence felt.

At the end of the day, while this has been an excellent debate, I have not felt that we have actually pinned the Minister down to say that there will not be a 10% cut. I appreciate what she has said and that some of the outward organisations have received funding, but we should not have to wait until the last minute. There are two elements to this: we must be able to support our staff and our reputation throughout the world. I again thank everyone who has taken part in the debate, and I hope that everyone feels that it has contributed to that.

Question put and agreed to.

Resolved,

That this House has considered funding levels for diplomatic staff in the Foreign, Commonwealth and Development Office.

10.40 am

Sitting suspended.

Potential for a Hydrogen Village

11 am

Hannah Bardell (in the Chair): I will call Justin Madders to move the motion, and I will then call the Minister to respond. As is the convention for a 30-minute debate in Westminster Hall, there will not be an opportunity for the Member in charge to wind up.

Justin Madders (Ellesmere Port and Neston) (Lab): I beg to move,

That this House has considered the potential for a hydrogen village.

It is a pleasure to see you in the Chair, Ms Bardell. Many Members in the north-west and north Wales have mentioned the genuine interest in, and support for, the HyNet project. Speaking as the Member for an area where industry consumes about 5% of the whole country's total energy consumption, I am only too conscious of the need for us to change if we are to meet our climate commitments. Faced with that fact, the companies that are responsible for a lot of those emissions have been working together to address the future and are working on a whole series of projects that will contribute to our reaching net zero while also enhancing the local economy.

We were very pleased to have the HyNet project approved for the first industrial cluster last year. With our unbeatable combination of industry and geology, we believe that we can transition to a hydrogen-based economy with carbon capture more quickly than just about anyone else. Our current infrastructure can be easily converted to operate with hydrogen, and HyNet believes that it can capture up to 800,000 tonnes of CO₂ every year.

It is exciting that my constituents potentially have a big part to play in this endeavour, and it is hoped that the area of Whitby in Ellesmere Port will be confirmed next year as the location for a hydrogen village programme. The natural gas running through local pipes in the area would be changed to hydrogen from 2025, and Whitby has been identified as an ideal place to host the hydrogen village programme, largely due to its closeness to HyNet:

“The Hydrogen Village is a really exciting project where local homes and businesses would be able to reduce their emissions—while continuing to build the North West's reputation as a leader in the hydrogen economy”.

It also means that we can back UK manufacturing jobs, but as always with these things, the maximum benefit will be found if we can take the maximum number of people with us.

That means not only showing people that it is a good thing for everyone if they are at the spearhead of a new way of heating our homes, and that they can play a big role in meeting our net zero targets. It also means ensuring that people feel that things are being done with their consent and agreement, rather than them being done to them. Of course, a big part of that will be communication, and I know that Cadent has already begun working on ways to advise residents about the project and will be opening a new shop in the town in July, so that residents can find out more.

Obviously, residents will have legitimate questions, and I imagine that they will want to know about the potential costs, their safety and the level of disruption they will face. From the information I have had to date,

I think that all those concerns can be dealt with. With the rapidly increasing energy bills that we all face, I would hope that the cost issue will be a positive for my constituents, with at least a guarantee that they will not pay any more for their energy. I hope that there is scope for us to go further than that and be able to offer them a discount. It is early days, but the only inquiries that I have had so far from constituents are about why people have not been included in the trial, which demonstrates the positive spirit of the people of Ellesmere Port, their willingness to embrace the future, and their eagerness to play their part in tackling climate change.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for bringing this issue forward. Does he agree that we have a clear obligation to fully explore the use of hydrogen, which is more beneficial than carbon emissions, and that the proposed trial village in Whitby reflects the needs of an average community? Does he agree that such trials are imperative and essential for the drive for clean energy, and that they should be shared with all regions of the United Kingdom of Great Britain and Northern Ireland, so that we can all learn from them?

Justin Madders: I agree with the hon. Gentleman. Indeed, when we get to the carbon capture element of the project, we will be joined together, because the Irish sea will play a major part in the storage of carbon emissions.

Let me return to the trial itself. There will always be some people who, for perfectly legitimate reasons, will not want to get involved, and one can imagine that, for some, the fear of something new will be too much. It is fair to say that no amount of persuasion will encourage them to participate, and it is important that if people cannot be persuaded to take part, they are not forced to do so. The old saying is, “One volunteer is worth 10 pressed men,” and it applies to hydrogen as much as to anything else. I think the number of those who do not want to take part will be small, but if the past couple of years have told us anything, it is that an element of compulsion will not make those with misgivings change their minds; indeed, it often has the opposite effect.

I think take-up will be significant, based on the early response, and if the trial proves a success, there will be a national change because approximately 23 million homes and businesses in the UK rely on natural gas for cooking and heating. To put that in context, that represents a quarter of the UK's carbon dioxide emissions, so we need to act on the whole of household infrastructure if we are to get to net zero. What better way to do that than an initiative that maximises support for UK jobs and enhances the principle of “make, buy and sell more in the UK”?

As much as that principle applies to anything, it applies to the 1.6 million boilers made in the UK each year, supporting jobs in places such as the north-west and the west midlands. Furthermore, a huge supply chain serves those manufacturers, and I am sure that building on that talent base is central to any levelling-up strategy the Government want to introduce. We also have tens of thousands of skilled gas engineers, which is why I welcome the support expressed by trade unions such as Unite and GMB whose members work in the sector and which support the move to hydrogen. I declare for the record my membership of both those trade unions.

UK boiler manufacturers truly are world leaders in the research and development of hydrogen-ready boilers. Critically, all have committed to sell hydrogen-ready boilers at the equivalent cost of a current gas-burning boiler. That commitment is key for households that are understandably concerned about the cost of converting to low carbon. We know, for example, that electric vehicles are substantially more expensive than traditional combustion-engine vehicles. That is one of the major barriers to consumer-led change, but we will not have to contend with it in this field.

I am aware that boiler manufacturers have written to the Prime Minister to confirm their commitment on that cost issue. Will the Minister say what consideration has been given to that commitment from boiler manufacturers to make in the UK and sell at the same cost as current natural gas boilers, which I hope he welcomes? What consideration has been given to comments by the trade unions on their view that it is not possible to achieve the large-scale workforce shift from boilers to heat pumps? Where is the hydrogen-ready boiler consultation? There was a commitment made to publish it last year.

Some people out there will say that we should not be doing this at all because it involves the wrong type of hydrogen, but the project has the potential to cut CO₂ emissions by at least 80%, which is a pretty good start. It will not deliver us to the promised land of net zero, but it is an important—I would say probably inevitable—stepping-stone for getting us there.

The Climate Change Committee, which is the Government's independent adviser on climate change, has recommended that significant volumes of blue hydrogen be produced by 2030 to help the UK to meet its climate targets, help industry to cut emissions quickly and ensure that there is a market for green hydrogen once it becomes cost competitive. The committee's analysis found that blue hydrogen could save up to 85% of emissions compared with unabated use of fossil gas.

The committee has also concluded that blue hydrogen is the right first step to take because the technology available now will help emissions-intensive businesses that cannot electrify their processes to get on the road to reducing their emissions this decade. Critically, that will help to preserve jobs in the UK's industrial heartlands and in my constituency as we target net zero further down the road. We want to get our industry powered and our homes heated by green hydrogen, but if we take a hard-line approach and insist on going for the zenith of green hydrogen immediately—all or nothing—I fear that it will probably not happen at all, which means we will have missed the opportunity to reduce our emissions now.

In some industries, those technologies are just not ready to go at a competitive price, and if we do not take those first steps now, over the medium term we will see those industries and jobs move abroad, and they might continue to emit the same levels of CO₂ that they emit now. We would end up in a lose-lose situation. We would lose our chance to reduce emissions and lose the chance to preserve and increase the number of highly skilled, well-paid jobs that go with those industries. We know that there are voices out there that are only too ready to claim that protecting the environment costs jobs. We cannot give those voices any opportunity to gain strength. Our focus must be on delivering a just transition. Along with the need to bring people with us

on the village itself, there is a wider need to bring the country with us and win the argument that, if we get the balance right, it will be a win-win rather than lose-lose situation.

Before I finish, I have a few further questions for the Minister about hydrogen more generally. Are the Government still on track to make a decision on heat by 2026? What will that decision look like? Will it unlock a hydrogen for heat industry in the UK, and unlock genuine choice for UK households in how they heat their homes in future? Can the Government match the ambition that has been expressed here about moving towards a hydrogen-based economy? Germany is investing 10 times the amount we are in the quest to deliver the same amount of hydrogen by 2030. I pose the question: is more support needed?

There could be more ambition in the number of hydrogen villages the Government can support. I do not see any benefit in the Government limiting the ambition to one hydrogen village trial. We will no doubt shortly hear about another one. Why not advance two schemes and double the learning? That would be in two different parts of the country, with two separate pieces of infrastructure. It seems the obvious way to go. The endless bidding wars and competitions that the Government specialise in do not always mean that the best projects succeed. They also mean that a lot of effort is expended on presentation, when we should all focus on delivery.

The potential of hydrogen is big enough to fit in two projects. If we do have a competitive process, I would be delighted if the Minister agreed to visit Whitby, possibly in July, to open the new customer centre, meet with Cadent and hear more about the hydrogen village project, as well as the many other innovative projects the company is delivering, not just to progress hydrogen for heat but in the wider hydrogen ecosystem.

I will conclude by saying why all this matters. I am sure we all want our planet to have a future, and I genuinely believe that we have the talent and innovation as a species to stop climate change overwhelming us. I am not so sure that we have the political will. It is through projects such as this that we will address that head-on and meet the challenge.

I want my constituency, because of where it is and because of its geology, history and industry, to be at the heart of this revolution, so that the people of Ellesmere Port can in future enjoy secure, well-paid jobs, on which they can raise a family, in a manufacturing industry that has enjoyed a renaissance, thanks to the advances we hope to make in carbon capture and hydrogen. I hope we end up living in a town where emissions have gone down but wealth has gone up, and that Ellesmere Port becomes a byword for innovation.

11.13 am

Jacob Young (Redcar) (Con): It is a pleasure to serve under your chairmanship, Ms Bardell, and I thank the hon. Member for Ellesmere Port and Neston (Justin Madders). This will be a brief contribution, because I agree with everything he has just said. I do not know whether that will be politically unpopular for him. He is completely right that the HyNet project, led by Cadent, is helping to lead the world in the hydrogen revolution, just like the H21 project in Teesside and Yorkshire, led by Northern Gas Networks, and the H100 project in Fife in northern Scotland, led by SGN.

[Jacob Young]

We must consider why hydrogen works as an alternative to other ways of decarbonising our homes. The hon. Member said that 85% of homes are connected to the gas network. We need to think of a way to decarbonise that. Let us be under no illusion that both ways end with significant costs, whether we go down the route of heat pumps in every home or hydrogen boilers, or a different one. Every way comes with a significant cost.

I should say that I am chair of the all-party parliamentary group on hydrogen, so I have a vested interest in this field. The reason I am so passionate about the hydrogen village project is that hydrogen represents an opportunity to take the consumer and the taxpayer along with us on the journey towards decarbonisation. With heat pumps, we will have to say to the owners of a terraced house in Middlesbrough, who are on a low income, that they will lose a large portion of their garden because they have to put a borehole in it for a heat pump; they will have to refit all their radiators; they will have to insulate the insides of their home differently; they will have to buy new furniture, because none of their furniture will fit anymore; and, on top of all that, we will charge them £5,000 for the pleasure, even with the Government grant. They will then have to change the way they heat their home altogether, because using a heat pump is more like using an Aga than a boiler. That is why I see hydrogen as representing an opportunity to decarbonise home heating, while taking the consumer along with us.

The hon. Member for Ellesmere Port and Neston mentioned the significant benefits of a hydrogen village project in Ellesmere Port. There are also significant benefits in doing it in Redcar, which is fast becoming the centre of excellence for green technology, whether it be carbon capture and storage, wind power, solar energy, hydrogen production or nuclear power—Hartlepool's nuclear power plant is on the north side of the river. A hydrogen village project in Redcar will allow someone to wake up in a hydrogen-heated home, go to a hydrogen-heated college, then perhaps go for a swim in a hydrogen-heated pool at the local leisure centre, get a hydrogen-powered ice cream, and even visit the hydrogen-powered office of the MP, because my office in Redcar is included in the proposed trial area.

This represents an opportunity for us to demonstrate decarbonisation, while taking people along with us in the long run. The hon. Member for Ellesmere Port and Neston is right that next year we have an opportunity to decide between Redcar and Ellesmere Port, or we have the opportunity to choose both. That is my argument—it should not be an either/or. Ultimately, we do not want a hydrogen village in the UK; we want a hydrogen UK. To get to that stage, we need as much evidence as possible. To get that evidence, we need both Redcar and Ellesmere Port. We need the Government to focus on how we can take that forward for the whole of the UK. I commend the hon. Member for what he has said today, and I leave the Minister with that thought.

11.17 am

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (George Freeman): It is a pleasure to serve under your chairmanship, Ms Bardell. I thank the hon. Member for Ellesmere Port and Neston (Justin Madders) and congratulate him on securing this debate. I thank my hon. Friend the Member for Redcar

(Jacob Young) for making some powerful points. We are on the cusp of an exciting opportunity for the hydrogen economy, and the pilot is about making sure that we get the infrastructure right to roll it out across the country.

I will start by framing our hydrogen commitments within the broader context of clean energy, and then deal with the specific points that have been made. I am responding today on behalf of the Minister for Energy, but also as the Minister for science, research and innovation. We see the hydrogen revolution in the heating of homes and the powering of vehicles—in particular heavy goods vehicles, trains and planes—as a fundamental part of our clean energy revolution. That is why, as Minister in charge of our science, research and innovation budget, I am strongly supporting the net zero transition and innovation. I say that as a former Minister of State in the Department for Transport, where, in addition to the electric vehicle revolution, we have now stepped up fast to support hydrogen roll-out in the transport sector.

That is all part of our green industrial revolution plan—the 10-point plan set out by the Prime Minister. The key commitment is to double our ambition of low-carbon hydrogen production to 10 GW by 2030. Further work is required to understand the feasibility, costs and convenience of transporting 100% hydrogen in the gas grid and using hydrogen for heating and cooking. That is what this trial is about. We want to establish the costs, logistics and practical issues as quickly as possible, so that we can then deal with them in a wider roll-out. We are working closely with industry, regulators and other stakeholders to deliver a range of research, development and testing projects for hydrogen heating.

Last year, I was pleased to see that HyNet North West, in north-west England and north Wales, which I know the hon. Member for Ellesmere Port and Neston has long championed, was selected to progress within track 1 of the industrial decarbonisation cluster sequencing process. That puts the region at the forefront of the industrial “SuperPlaces” we are supporting in this revolution. In the Government's 10-point plan for a green industrial revolution, we set out the goal of supporting industry to deliver a neighbourhood trial by 2023, a village-scale trial by 2025 and a potential hydrogen-heated town before the end of the decade. Fundamental to our approach is the development of hydrogen hubs: centres of expertise that drive forward and accelerate the adoption of hydrogen as an energy source. The plans for a hydrogen neighbourhood trial are already under way, as colleagues know. That trial in Fife will supply hydrogen to around 300 homes, with hydrogen distributed through pipes laid parallel to the existing gas network. The trial of hydrogen for heat on a large village scale will be the first of its kind globally. It is a groundbreaking project.

It is an exciting time for the hydrogen village trial. Ofgem recently published its decision to take forward two proposals to the next stage of development. As my colleagues will know, Whitby in the Ellesmere Port area was one of the potential locations, alongside Redcar. The village trial will be led by the gas distribution network and will convert 1,000 to 2,000 properties to hydrogen instead of natural gas. Unlike the neighbourhood trial, it will involve the complete conversion of existing gas network infrastructure in the local area, repurposing it 100% for hydrogen.

We believe the hydrogen heating trials will encourage local employment opportunities and investment, along with the culture change that is required, as was mentioned by both the hon. Member for Ellesmere Port and Neston and my hon. Friend the Member for Redcar. The trials represent another opportunity for us to build back better with investment in green jobs and new technologies, while reducing the cost of energy for consumers. I understand that the hon. Member for Ellesmere Port and Neston is closely engaged with the proposal in his constituency, which is all to the good and hugely welcome. It is important that we support the proposals at this stage, because they have the potential to both generate the diverse, quality evidence that we need and drive that culture change.

Ofgem and the Department for Business, Energy and Industrial Strategy will assess final proposals for the networks in spring 2023 and make a decision on where the trial will be located. Without prejudice to my ministerial colleagues' decisions next year, the points the hon. Member for Ellesmere Port and Neston and my hon. Friend the Member for Redcar have both made today about scale are well made and on the record, and I will pass them on.

We are working closely with Cadent and Northern Gas Networks, the gas distribution network operators responsible for the short-listed projects, to develop their detailed plans for the trial. Strong community engagement is key and I hugely welcome the comments of the hon. Member for Ellesmere Port and Neston in that regard. The gas distribution network operators are working with local consumers to encourage as many people as possible to participate in the trial. It is important for me to say that nobody would be forced to use hydrogen and nobody would be required to pay extra. I think those two messages will help drive public adoption.

I want to touch on consumer protection, because it is key. Our first duty must be to the safety of consumers, so before any community trial can go ahead, the Health and Safety Executive will need to be satisfied that it is safe. As with natural gas, measures will be needed to ensure that hydrogen is stored, distributed and used safely. As part of our world-leading research into the subject, we have gathered evidence on the safety of using hydrogen in homes. The BEIS-funded Hy4Heat programme has shown that the use of 100% hydrogen can be made as safe as natural gas when used for heating and cooking in the types of houses that were studied. However, research is one thing; practical roll-out in the real world is the key. That is why the pilot is so important.

I reassure hon. Friends and Members here, as well as those listening, that we are 100% committed to safety and that we want to make sure that protecting the rights and interests of consumers is at the heart of the trial. It is the first of its kind in the UK. We are therefore committed to a framework of additional consumer protections, which we set out in our consultation last year, including transparency of information, fair treatment and quality of service. We hope that they will enhance the existing protections in energy and consumer legislation, which already apply to consumers and will apply for the trial. We are clear that nobody taking part in the trial will be required to pay any extra.

With regard to multiple hydrogen trials, colleagues can see the logic of our next step, which is the village and neighbourhood trials. That combination, alongside

the wider programme of research and testing that we are running, is designed to provide the Government with the necessary evidence to take big strategic decisions on heating within a matter of two or three years. I know the ambition that colleagues have shared today to go further and faster is shared by the Secretary of State, the Minister for Energy, Clean Growth and Climate Change, and the Prime Minister. It is not lack of political will that is holding us back; we simply need to make sure that we have the practical realities of roll-out and conversion of the gas network clear.

Colleagues have raised the issue of blue versus green hydrogen. I want to make it clear that our hydrogen strategy sets out the Government's twin-track approach to supporting both electrolytic green and carbon capture-enabled blue hydrogen production. We see blue and green hydrogen as complementary and not as an either/or choice. Our new UK standard for low-carbon hydrogen production will ensure that the technologies we support—green, blue and other potential production routes—make a real contribution to our decarbonisation goals.

We are on track to make a decision on blending in 2023. We are exploring whether to enable the blending of up to 20% of hydrogen by volume into GB gas networks, and we are on track to make the policy decision next year, subject to the outcomes of the ongoing economic and safety assessments, and wider strategic considerations about the energy market. If the decision to proceed with blending is positive, we will look to start the legislative and regulatory process to enable blending, as well as the process to make any physical changes that are required to gas networks. Given the timelines on that work, officials do not anticipate blending on a commercial scale to commence before 2025.

We are looking to publish the hydrogen-ready boiler consultation as soon as possible—"in due course" is the official phrase. I cannot speak for my ministerial colleague, but I know that is very high in his in-tray. The consultation will consider the case for requiring newly installed domestic-scale gas boilers to be hydrogen ready, which would be a step change. The consultation will also include proposals to improve in-home boiler performance, building on the existing boiler efficiency standards of boiler-plus in England.

On manufacturers' commitments to make hydrogen-ready boilers in the UK and sell them at the same cost, we absolutely welcome the commitment to maintain gas boiler prices at current levels in the case of a widespread roll-out of hydrogen-ready boilers. We look forward to working with manufacturers to ensure that that is possible at scale, because it is fundamental to adoption.

On the trade union debate about whether it is possible to achieve a large-scale workforce shift from boilers to heat pumps, we absolutely think it is possible. I was grateful to hear the hon. Member for Ellesmere Port and Neston, with his strong union background, make it clear that his unions are supportive of that. It is important that we send a signal that this is not a massive challenge, but a part of the upskilling of our broader workforce and economy. Existing heating engineers can train reasonably simply to install heat pumps in one week or less, and thousands of new heating engineers have already seized the opportunity to learn those skills.

I reiterate my thanks to the hon. Member for Ellesmere Port and Neston and my hon. Friend the Member for Redcar for raising the issues today. I hope they can see how committed the Government are to making sure we

[George Freeman]

protect consumers and get the practical logistics right. They would be the first on their feet if we rushed into something that had not been properly thought through. We want to make sure that the trials lay the foundation for a wider nationwide roll-out. The aim is not to have one or two world-class trials; the aim is to prove what we need to do to roll out hydrogen at an industrial scale across the country as part of our net zero targets.

As was outlined in our consultation last year, we are including legislative measures to facilitate the trials in the landmark energy security Bill. I very much look forward to working with colleagues here. More importantly, the Energy Minister looks forward to working with colleagues across the House as the Bill goes through Parliament. This is an exciting time not just for the UK hydrogen economy, but for the communities that are in the vanguard, and we are keen to make sure that that public support continues to grow.

Question put and agreed to.

11.29 am

Sitting suspended.

Fly-tipping and Illegal Dumping

[SIR MARK HENDRICK *in the Chair*]

2.30 pm

Saqib Bhatti (Meriden) (Con): I beg to move,

That this House has considered the matter of tackling fly-tipping and illegal dumping.

It is a pleasure to serve under your chairmanship, Sir Mark. I am grateful for the time to discuss this important issue.

“And did those feet in ancient time

Walk upon England’s mountains green;

And was the holy Lamb of God

On England’s pleasant pastures seen!”

My choir-singing days are long behind me, but that famous hymn and poem appropriately captures the idyllic nature of our beautiful nation. However, I dread to imagine what William Blake would think today if he could see the mattresses strewn along our country lanes, the rubbish along our high streets or the old, broken televisions and fridges dumped at the side of the road, which is what we are here to discuss today. I asked for this debate because I have been shocked by the level of littering and fly-tipping, and I am sure every colleague will agree that it is a blight on our environment and undermines our communities.

Janet Daby (Lewisham East) (Lab): I thank the hon. Member for securing this debate and for a powerful opening speech. I agree that fly-tipping is a blight on our society. Does he agree that we need a real, structured and well-funded Government campaign to prevent it?

Saqib Bhatti: I thank the hon. Member for that intervention, and I hope she will be pleasantly surprised as I progress through my speech.

We can all agree that we ought to be able to enjoy wherever it is we call home without the scourge of fly-tipping scarring our landscape. In 2021 alone, there were more than 1.1 million fly-tipping incidents in England, which is more than 129 a minute and a 16% increase on the year before. This is a crime that feeds antisocial behaviour and can lead to serious environmental and public health damage, especially when something such as medical waste is dumped.

Marsha De Cordova (Battersea) (Lab): I congratulate the hon. Member on his opening speech and thank him for giving way. Not only does fly-tipping cause issues for the environment, but there is the cost to local authorities, which have to pay to get the rubbish removed. Does he agree that we need more preventive and deterrent mechanisms? Local authorities could have services to remove waste, and we could have more CCTV so that we can catch fly-tipping offenders.

Saqib Bhatti: I worry that the hon. Member has seen a copy of my speech, but I am sure that she, too, will be pleased to hear what I call for.

Fly-tipping is indiscriminate. In my constituency, for example, the northern, more urbanised parts experience fly-tipping as much as the southern, more rural areas. This crime has serious economic costs, with the total

cost of fly-tipping to the taxpayer estimated at £400 million. The number of large fly-tipping incidents, or tipper lorry loads as they are called, is 39,000 in total. The cost of clearance to local authorities last year was £11.6 million—an increase from £10.9 million in 2019-20.

I also asked for this debate because I want to recognise the social damage of fly-tipping. If levelling up is to mean anything, we require investment in our communities, while also instilling pride and empowering local organisations and our parish councils to tackle fly-tipping. Nothing says “We don’t care” more than when we let communities descend into becoming havens for fly-tipping and the related antisocial behaviour. Ultimately, that disenfranchises whole communities. Our communities need to know that we stand for them. That is why I stand here today calling for us to reinvigorate our war on fly-tipping.

I want to take a moment to recognise the fantastic contributions of organisations across my constituency, which continuously remind me of the community spirit that protects our villages, towns and homes. In particular, I thank my parish councils, which have continuously raised this issue with me, including Barston, Hampton-in-Arden, Castle Bromwich, Chadwick End, Tidbury Green, Dickens Heath, Balsall Common, Berkswell, and Bickenhill and Marston Green. I also thank Catherine-de-Barnes Residents’ Association, Clean & Green, the Knowle Society, the Balsall Common Litter Pickers, the Hampton-in-Arden Wombles and Love Solihull, which all supported and took part in my Keep Meriden Tidy initiative last year. In addition, I thank the litter-picking groups in Dorridge, the Marston Green Wombles and the many individuals and organisations up and down the constituency that take time out and volunteer to make their villages and town centres beautiful and safe places to live, work and play. These organisations and people need our support. In fact, when I went around picking litter as part of my Keep Meriden Tidy initiative last year, numerous bags were filled. Shopping trolleys were extracted from streams, and there was a real risk of finding unsavoury items such as knives, syringes or worse.

That brings me to my first ask of the Minister: has she considered the role of community organisations in dealing with fly-tipping? Has she considered working with the Department for Levelling Up, Housing and Communities to examine whether further powers could be given to parish councils to deal with fly-tipping and litter? I am aware that she takes this issue incredibly seriously, and I know that the Government are also serious about tackling fly-tipping, recognising the social, economic and environmental risk that it poses.

I welcome the establishment of the Joint Unit for Waste Crime, which is designed to disrupt serious and organised crime around fly-tipping. It works jointly with the National Crime Agency, Her Majesty’s Revenue and Customs, the Environment Agency and the police. Moreover, I recognise the great achievement that is the Environment Act 2021, which introduced new powers to gain evidence and enter sites.

I am also aware of the consultation on fly-tipping, which is ongoing. Can the Minister reassure my constituents and others affected by fly-tipping that the consultation will lead to serious and meaningful change? Of course, I implore everyone to take part in it and to share their ideas, which leads me to ask the Minister and the

Department what thought has been given to providing more fly-tipping education for the public? I ask that because that was a specific request from some of my constituents when I visited Balsall Common.

Of course, we have fantastic campaigns, such as Keep Britain Tidy, but the more, the merrier. That is why I will embark on another Keep Meriden Tidy campaign, not least because we have the Commonwealth games in my constituency. With over a billion eyes watching our beautiful region, I intend to play my part in keeping it that way.

One aspect of dealing with fly-tipping I have not yet touched on is enforcement. The greatest source of frustration for many of my constituents is the feeling that they can do everything they can, including reporting the fly-tippers, but the level of enforcement in no way matches their hard work, and prosecutions that would deter fly-tipping are just too rare. In short, Minister, too many fly-tippers are getting away with it.

Recently, I was pleased to see that there was a fly-tipping intervention grant, but I must ask whether there will be more rounds and more money, because I am keen for my constituents to benefit from any future rounds. Can the Minister also confirm that she is talking to local councils, or the relevant Department, to ensure that local councils have the means to tackle fly-tipping? In addition, can she confirm that she is talking to the policing Minister, my right hon. Friend the Member for North West Hampshire (Kit Malthouse), to beef up enforcement by the police? One of my greatest fears is that my law-abiding constituents are put at risk by dangerous fly-tippers, who are sometimes involved with organised crime, and that the police are not able to do enough to tackle the problem. For example, farmers in my constituency are often at particular risk, because the very nature of rural areas means that it takes longer to get police support. They are particularly worried about confronting these criminals and about the personal risk to them and their families if they do intervene.

Of course I understand that the Government have many demands on their resources, so one suggestion I have for the Treasury is that if fines are issued to fly-tippers—frankly, there should be larger fines—the money should be fed back into parish councils so that they can have the resources to deter further dumping of illegal waste.

Stephen Hammond (Wimbledon) (Con): I thank my hon. Friend for securing this important debate and for his important contribution. However, does he recognise that one of the problems is fly-tipping on private land, such as that owned by Network Rail or the Highways Agency? We need the Government to put pressure on those agencies to clear up more quickly. The frustration for a lot of my constituents is that when they want Network Rail to clear up fly-tipping, it takes me three months to get it to do that. That is why we need some help from the Government.

Saqib Bhatti: My hon. Friend makes a valid point, and I am sure the Minister will have taken note of it.

The village of Barston is a particularly beautiful part of my constituency; it was recently voted one of the most desirable villages in the country. The parish council bought its own automatic number plate recognition cameras, and it monitors who enters Barston, with the

[*Saqib Bhatti*]

data being shared with the police when fly-tipping incidents occur. I am also aware of private businesses working with other parish councils to help fund ANPR cameras. Will the Minister consider incentivising private business to work with parish councils to empower them to tackle fly-tipping? When fly-tippers are identified, our hard-working police need to have the resources to go after the criminals so that they can meaningfully deter fly-tipping.

I am pleased that the Government are looking at electronically tracking waste. The majority of fly-tipping is household waste, but we could still go further and make it easier for residents to dispose of rubbish. One idea that intrigues me is the use of mobile recycling vehicles, which play a positive role in other communities in increasing recycling rates and reducing fly-tipping. The Minister's support to engage in that would be greatly welcome.

The next time we hear about walking upon England's mountains green and England's pleasant pastures seen, let us make sure that they are seen and that this country is seen for the beautiful place it is, rather than as one covered by the eyesore of fly-tipping and illegal dumping.

Several hon. Members *rose*—

Sir Mark Hendrick (in the Chair): Thank you, Mr Bhatti. I am conscious of the number of Members who want to speak, so I will bring in a time limit of four minutes. I ask that anybody who wishes to make interventions should make them short and sharp so as not to take too much time away from others who want to make a contribution.

2.41 pm

Mrs Paulette Hamilton (Birmingham, Erdington) (Lab): It is a pleasure to serve under your chairmanship, Sir Mark. As a newly elected Member, this is my first time speaking in Westminster Hall, and I am very pleased to be here. I congratulate the hon. Member for Meriden (Saqib Bhatti) on securing this important debate.

I have come here to do what lots of people accuse politicians of doing every day: to talk rubbish. But on a serious note, fly-tipping and illegal dumping are a huge problem in my constituency: Slade Road in Stockland Green, Frederick Road in Gravelly Hill and Farnborough Fields in Castle Vale are particularly badly hit, to name just a few.

Taiwo Owatemi (Coventry North West) (Lab): My hon. Friend is making an important point about just how much fly-tipping there is across her constituency. It is also a massive issue in my constituency, whether in Radford, Chapelfields or Allesley. I am sure she also receives dozens of emails from constituents who are tired of rubbish being thrown on the floor. Given that it has become increasingly difficult for local authorities such as my council in Coventry to adequately fund the removal of fly-tipping waste because of the budget cuts over the past 12 years, does she agree that the Government need to do more to support local councils to ensure that they have the necessary resources to address this important issue?

Mrs Hamilton: I absolutely agree that that needs to happen.

Reports of fly-tipping are increasing across the country. In Birmingham alone, the council received 38,142 reports of fly-tipping between May 2021 and May 2022. Fly-tipping is against the Brummie spirit. Our Labour council has been right to take a zero-tolerance approach, introducing a £400 fixed penalty notice for everyone caught dumping rubbish illegally. It has successfully taken some of the most serious offenders to court, but the increasing demand for enforcement action is coming after almost a decade of austerity-driven cuts. Those have created the most challenging period in the council's history, as funding for vital services has been cut by a staggering £775 million since 2010.

We have some amazing local organisations in our community, such as the Erdington Litter Busters, who are doing their bit to tackle illegal dumping, but we should not have to rely on community groups to make our streets cleaner and greener. It is clear that councils need more resources, and I hope the Minister will be able to outline today specific support to help our local authorities tackle fly-tipping, because it has become an epidemic.

I want to turn to a specific issue blighting our constituency, which indirectly leads to fly-tipping and illegal dumping. In Erdington, the community has seen an alarming increase in houses in multiple occupation and exempt accommodation, with the second-highest level in the city. One example is Kings Road in Stockland Green, where more than 27 out of 85 houses are in multiple occupancy. With such a high concentration of properties, which can often be full of strangers, some in large families or with complex mental health issues, it is no surprise that we have seen an increase in antisocial behaviour, drug dealing and fly-tipping.

Birmingham City Council has once again done what it can, by applying for a selective landlord licensing scheme to be introduced in 25 of the 69 wards in the city. The largest landlord licensing application in the country, Birmingham's scheme has not yet been approved by the Government. I hope the Minister will indicate today that the Government will give it the green light, as that will greatly help the council to tackle rogue landlords and, in turn, reduce fly-tipping in our area.

I would like to finish by saying something positive. I welcomed the Government's announcement in March that they plan to introduce minimum standards for properties in the private rented sector, and new powers for local authorities to clamp down on rogue landlords. As ever, the devil is in the detail, and I hope the Minister can elaborate on those plans in today's debate, as all those measures will help to reduce fly-tipping.

As a former councillor in Birmingham, I know how much the local authority is crying out for more powers and funding to help it beat the curse of illegal rubbish being dumped in our communities. It is such a huge problem in my constituency that tackling it will be one of my key priorities in Parliament. Today, we need the resources from the Government, not hot air and empty promises.

2.47 pm

Robbie Moore (Keighley) (Con): It is a pleasure to serve under your chairmanship, Sir Mark. I thank my hon. Friend the Member for Meriden (Saqib Bhatti) for securing this important debate. We can see from the

number of Members in attendance how significant this issue is across our constituencies. This debate is important for me because certain areas in my constituency are plagued by fly-tippers. As many have said, fly-tipping and illegal dumping can ruin the experience of residents and visitors.

The Worth valley in my constituency, one of the most beautiful parts of the country, is the place that inspired the Brontë sisters and is home to some of Yorkshire's finest tourist attractions. Too often, when one drives through this rural landscape, bin bags, discarded objects and even hazardous material can be seen dumped and discarded at the side of the road.

Only in April this year, hundreds of dumped tyres were found on Nab Water Lane in Oxenhope in the middle of the Worth valley. In November last year, a large number of household waste items, such as mattresses, cots and bags of rubbish, were dumped in East Morton cemetery, near Riddlesden, where Captain Sir Tom Moore is buried. It is an absolute disgrace that individuals feel they can get away with that. In April 2021, 225 tyres were dumped on the top of Ilkley Moor. That illustrates that we are not talking about little bits of rubbish being dumped here and there. This is organised crime, which we must get on top of.

This is not just happening in the rural parts of my constituency. In the centre of Keighley, some of the back streets, particularly the back lane to Cavendish Street, are hard hit, with residents finding numerous bits of dumped rubbish. That causes huge amounts of havoc and distress for many people living and working in the area.

The figures stand out. Nationally, 1.13 million incidents of fly-tipping have been recognised over the past year. Within the Bradford district alone, last year there were 2,000 fly-tipping incidents, with 50 fly-tipping fixed penalty notices given out and five vehicles that had been involved in environmental crime seized. In Keighley itself, 2,500 fly-tipping incidents have been reported over the past two and a half years. Keighley Central ward had the highest number, with 771 recorded; it was closely followed by the Worth valley—one of the most rural parts of the constituency—which saw 522.

We have to get to grips with this problem and get on top of it. Funding is absolutely vital, but we also need a name-and-shame strategy. To hold these individuals to account, let us have the names of anyone who gets a fixed penalty notice branded across the constituency. We have had Travellers visit Ilkley and leave behind huge amounts of vegetation—green waste. They have clearly gone around the town, approached residents and asked how much they can pay to get rid of their green waste, and then they have left it on private and council property so that the taxpayer has to pay to get rid of it. This cannot continue.

We also need to be smarter about installing more CCTV cameras and using technology to investigate and explore the rubbish that has been dumped so that we can work back and hold those criminals to account, in order to get on top of this horrendous issue that blights us all.

2.51 pm

Stephanie Peacock (Barnsley East) (Lab): It is a pleasure to serve under your chairmanship, Sir Mark, and a pleasure to follow the hon. Member for Keighley

(Robbie Moore). I congratulate the hon. Member for Meriden (Saqib Bhatti) on securing this important debate. It is nice to see my hon. Friend the Member for Birmingham, Erdington (Mrs Hamilton) in her place.

In the past year, more than 5,500 reports of fly-tipping were submitted by people across Barnsley—almost double the number from the year before. Fly-tipping does not just ruin local communities; it can be hazardous and toxic and can feed into serious organised crime. Thanks to the efforts of Barnsley Council, its #EverybodyThink campaign and local residents, fly-tipping has decreased in recent months. However, if we are to tackle this issue at its root, more must be done at a national level to support local authorities.

Barnsley's council budget has been devastated by some of the largest cuts in the country; it has been subject to cuts of 40% since 2010. Although the council is already stretched, the removal of fly-tipped waste is costing it nearly £200,000 a year. It might sound good for the Government to speak of transferring power to councils to deal with problems such as fly-tipping, but that is futile if, in reality, councils are left without the resources to provide proper solutions. I ask the Minister what the Government are doing to ensure local authorities get all the support they need.

For private landowners who fall victim to fly-tipping, funding the proper disposal of waste can be really expensive; if it was not, the waste would likely not have been dumped in the first place. This can lead landowners to resort to poor methods of disposal—such as setting fire to or burying rubbish—which can cause damage to local habitats and local people's health.

To prevent that, the Government might look at encouraging other areas to replicate the successful pilot carried out by the Hertfordshire police and crime commissioner. His annual fund of £20,000 supports private landowners with paying for the removal of fly-tipping, using funds from the Proceeds of Crime Act 2002. That allows waste to be processed properly for the benefit of the whole community. I also echo the calls that have been made in the debate for tougher enforcement.

The problem with fly-tipping is that it can easily snowball. The more people see it, the easier it is to believe that it is acceptable behaviour and the less incentive there is to maintain cleanliness. To stop this problem from spiralling, we need to make proper disposal as easy as possible and offending as difficult as possible. That could start with ensuring that houses in multiple occupancy have enough wheelie bin space for all who live there. It could also mean placing obligations on those who sell large household items to offer or direct to services that dispose of old fridges, mattresses and the like when customers buy new ones.

Education is crucial. People should be fully informed about how everything in their house should be thrown away, as well as how to check for a proper waste carrier licence; that would prevent unsuspecting households from funding illegitimate services run by criminals. We are all familiar with what a driver's licence or a registered taxi looks like, so there is no reason why we cannot be taught to recognise a waste carrier licence. In that vein, steps should be taken to strengthen the process for obtaining a waste carrier licence, so that background checks are carried out in more cases and licences are less

[Stephanie Peacock]

easily replicated. If we make offending hard, dealing with waste through simple, proper disposal will not feel like such a burden for businesses or homes.

Fly-tipping is a blight on communities such as Barnsley but, fortunately, solving it is in everyone's best interests. There are lots of local groups across Barnsley who work hard, mainly with volunteers, to keep Barnsley tidy and clean. I take this opportunity to pay tribute to them all, because we all lose when the hard-earned money that we pay in taxes goes towards removing dumped rubbish. We all lose when habitats are lost and our environment becomes dirty, and we all lose when criminals are allowed to run riot in our towns. With the right support from Government and the right changes across the country, there is no reason why we cannot put an end to this terrible practice; we need to do so.

2.55 pm

Jane Hunt (Loughborough) (Con): It is a delight to speak in the debate, Sir Mark, and I thank my hon. Friend the Member for Meriden (Saqib Bhatti) for securing it. I had quite a long speech, but I will cut it down to just a few pertinent points. I ought to declare that I am still a borough councillor with Charnwood Borough Council. I will talk about some of the good things and some of the bad things happening in our area with fly-tipping.

First, I want to focus on farmers. Farmers in my area are blighted by fly-tipping, particularly on the margins of the constituency and the county—I am on the edge of the county. There is frequent fly-tipping on Charley Road in Shepshed, for example, which causes farmers great distress and rather a lot of expenditure. Betty Hensers Lane in Mountsorrel is also frequently blighted. Incidents like those that my hon. Friend described involving lorry loads—he referred to them as tipper trucks—happen often throughout Charnwood, both in my constituency and in the constituency of my hon. Friend the Member for Charnwood (Edward Argar). To deter fly-tippers, farmers are resorting to drastic measures such as blockading gates and field entrances with machinery and other items, and installing lights and security cameras—all at their own expense. That is something I would like to look at with the Minister, please.

There is good news, however. Charnwood Borough Council has been running a campaign called “Don't muck around”, and I was the lead member for four years. We did all sorts of things. We had posters where dogs were, dare I say it—am I going to be the first Member to say “pooing” in *Hansard*?—pooing, to show that people should pick it up and take it away themselves. We had 38 flags in Sileby football pitch identifying pieces of dog poo across a pitch that kids were playing on every weekend; it was terrible.

The council does wonderful things to do with littering, fly-tipping and dog mess, and I absolutely take my hat off to the street management team, who work very hard. The council holds a rubbish amnesty day at the end of every student year. As the students leave, a rubbish truck comes round and takes the rubbish away, which is great. That does not happen in all cases, but it does in the majority. At the beginning of the year, during freshers' week, the council gives out advice on

what to do with rubbish, because people come from different parts of the country, where rubbish is dealt with differently.

There are those kinds of concerns, but I am most concerned about the impact on farmers. Aliens do not come down and fly-tip rubbish on our country. I therefore ask that everybody deals with their own rubbish as much as possible. If everybody did that, we would not have fly-tipping, littering or dog mess across the country.

A point was made earlier about ensuring that carriers do, in fact, have waste licences and are not dumping waste elsewhere. I suggest that littering from moving vehicles, including from the backs of open trucks, should be heavily fined to deter people from leaving detritus in our towns and on our highways.

2.59 pm

Sara Britcliffe (Hyndburn) (Con): It is a pleasure to serve under your chairmanship, Sir Mark.

I want to tell a story. It is the story of a constituent who wrote to me recently, and it is about a lovely spring morning of the sort we all dream about. The weather was beautiful, as it always is in Lancashire, and there was not a single cloud in the sky. The weather was so wonderful that my constituent and his wife decided to take their daughter and their dog for a walk in our wonderful countryside. They found a route they liked and headed out into nature. After a time, they saw a road in the distance. They ambled casually towards a hedge next to it and climbed a stile out of the field. They looked around them at this unspoiled bit of rural Lancashire, and they saw an old sofa, three broken kitchen units, piles of old, empty paint tins, and many bags of building waste and other rubbish, some with flies and rotting smells coming from them. They were appalled. The family's outing had been spoiled by a blight that impacts us all.

That story is a composite of many emails and letters I have received about this subject. Not a day goes by without someone dumping something in a country lane or back alley, and my office estimates that almost 20% of our casework relates to fly-tipping of one kind or another. That is shocking, and it highlights the sheer scale of the problem we face as a society. It is not just rural areas: our towns, cities and villages are also blighted by this horrendous crime, but what is the solution?

There is no doubt that the steps the Government are taking to allow materials to be recycled at tips more easily will certainly help, but that will not stop the problem altogether. At its heart is laziness, and a lack of care for others and for the communities in which fly-tippers live. The only solution is enforcement, deterrence and prosecutions, and I am sorry to say that councils simply do not do enough. I have constantly called on Rossendale Borough Council and Hyndburn Borough Council to take more action on fining the people who blight our communities, but unfortunately they have not done that. After our great local election, we now have a cabinet member in control who is on our side—Steven Smithson—so I hope more action will be taken.

Councils need to increase the use of covert recordings and invest in drones, static hidden cameras and other technologies to record fly-tippers and catch them in the act. They also need to increase their investigations into fly-tipped material and pursue every single fly-tipper

relentlessly. There should be a disproportionate response to fly-tipping, and fines should reflect that. At present, we are simply not issuing enough and we are not putting other punishments in place. I also believe that the vehicles of all fly-tippers should be seized as proceeds of crime. We need a zero-tolerance approach. I agree that we need to look at licences, and there needs to be more enforcement action when rubbish is dumped on private land.

That is my contribution to the debate. We need more action and we need more from the Government, such as an education campaign. We must work together to improve our local communities.

3.2 pm

Douglas Ross (Moray) (Con): It is a pleasure to serve under your chairmanship, Sir Mark. I congratulate my hon. Friend the Member for Meriden (Saqib Bhatti) on securing this debate. Although these issues are devolved, it is right that in our UK Parliament, Members representing all constituencies have the opportunity to raise concerns about their local areas.

Fly-tipping is a major issue in Moray, as it is in other parts of the country. In 2016-17, there were 139 reported incidents of fly-tipping in Moray, but the most recent figures show that in 2020-21 the number had risen to 402. For a very remote and rural area, that is a high number of incidents. Local people rightly complain about them, and, as we have heard, people have to pay for them.

At the same time, according to freedom of information figures from Moray Council, in 2016-17 seven people received fixed penalty notices. Despite the fact that the number of incidents has more than doubled in the period to 2021-22, only 16 fixed penalty notices were issued in the most recent year. It is a serious concern that the people responsible for these illegal dumping and fly-tipping activities are not being held accountable for their actions.

My hon. Friend spoke about mattresses, and others have talked about more toxic items that are illegally discarded. That is important, because although any material discarded in this way is unsightly, in some cases it is also extremely dangerous. Some time ago, in Tugnet near Spey bay in Moray, people dumped a large amount of asbestos, which is clearly dangerous for anyone who goes near it and hazardous to the officials from the council who had to go along to clear it.

I am pleased that we had excellent local government results at the start of this month in Moray, where the Conservatives are now in charge—every one of our candidates was elected, while the SNP went backwards. In response to another FOI request, Moray Council could not tell us how much is spent on clearing up this waste, so I hope the new administration in Moray will put out more knowledge about the cost to the council. The public deserve to know how much their local authority is spending on clearing up waste in their area.

The last thing I want to speak about today is a consultation that has just closed in Scotland on a new fly-tipping Bill, which is being brought forward by my Scottish Conservative colleague Murdo Fraser MSP. The legislation in Scotland has not changed since 1990, and we have seen no action from the SNP on this issue over their 15 years in power. That is why the Scottish Conservatives are leading this charge. The consultation closed last night with 190 responses, which were

overwhelmingly positive about new legislation coming forward. The Bill would ensure better data collection and reporting mechanisms for fly-tipping in communities, and it would ensure that the land or property owner is not responsible for clearing it up. We have heard time and time again today about the cost to innocent people, and therefore we as Scottish Conservatives want far more onus to be placed on finding the perpetrators and making sure they pay for clearing up.

My plea to the Minister is that she joins the growing list of people supporting this legislation in Scotland. Scottish Land & Estates has said:

“We were pleased to help Mr Fraser develop his Member’s Bill and strongly support the Bill’s intentions to rid Scotland of fly-tipping once and for all”,

and Robin Traquair, vice-president of National Farmers Union Scotland, has said:

“Fly-tipping is such a major issue across Scotland that action needs to be taken to change the law when it comes to dealing with those responsible. Such positive action to tackle fly-tipping, through this Private Member’s Bill, is something NFU Scotland would fully support.”

I hope that today, we also get the support of a UK Government Minister, because this is legislation that we need in Scotland.

3.6 pm

Anthony Mangnall (Totnes) (Con): It is a pleasure to serve under your chairmanship, Sir Mark, and I congratulate my hon. Friend the Member for Meriden (Saqib Bhatti) on raising this issue. From the speeches we have heard, it is clear that whether we are in an urban or a rural setting, we are all facing the same problem: the pernicious crime that is fly-tipping. It happens in my constituency, and it has happened to a greater degree over the pandemic. The statistics are stark; figures from across the country show that over the past two years, fly-tipping has only got worse. In the east midlands, it has got 20% worse; in the east, it has got 29% worse; in London, it is 6.9% worse; in the north-east, it is 26.7% worse; in the north-west, it is 21.8% worse; in the south-east, it is 34% worse; in the south-west, it is 9.2% worse; and in the west midlands, it is 27.9% worse. The only area of the country that has seen an improvement is Yorkshire and the Humber, with a reduction of 1.6%. Surely, there is a lesson we can learn from that.

There has also been a 24% reduction in the number of fixed penalty notices issued for fly-tipping, so we need to seriously address the questions of who is disposing of waste and where they are disposing of it. The people who use such services have some responsibility for ensuring they are disposing of their waste through a safe and responsible organisation; they, too, have a responsibility to make sure that their white goods, mattresses and furniture go where they should. It was interesting to hear Opposition Members talk about the responsibility of local authorities. Of course, some responsibility rests with local authorities to take action, but this also relies on individual businesses behaving responsibly by making sure they put their waste into tips, and on responsible behaviour from people who are getting rid of waste.

One of the biggest problems I have found in my constituency is how we document this crime, because it is incredibly difficult and expensive to do so. We can talk about putting up CCTV cameras everywhere, but the reality bites: people in rural areas do not want CCTV

[*Anthony Mangnall*]

cameras all over the place. In order to stamp fly-tipping out, we will have to find a way to bring together councils, individuals and businesses, with a register and hard-level fines to punish people who commit this crime. We will not always be able to rely on documenting it with big-state CCTV.

The fines are the biggest problem. According to the notes I have and the “Panorama” documentary “Rubbish Dump Britain”—my hon. Friend the Member for Peterborough (Paul Bristow) and I referred to it in a debate that we held last year—it costs £1,500 to £2,000 for a council to investigate and prosecute fly-tipping, but the average fine is £170. Clearly, when there is such an imbalance, we will not discourage people from fly-tipping. We have the added problem of what happens if we employ someone to take our waste away and they subcontract the service to someone else, so there has to be a register or a measure in place.

My hon. Friend the Member for Meriden started and finished his speech with the words of “Jerusalem”. We might also add some Shakespeare, and say that

“this sceptred isle...set in the silver sea”

is worth protecting. It is worth ensuring that we can bring to justice those who commit the crime of fly-tipping. We must ensure they are brought before the law and dissuaded by punitive fines. If we can do that, we will see an end to it.

3.10 pm

Paul Bristow (Peterborough) (Con): It is a pleasure to serve under your chairmanship, Sir Mark. I congratulate my hon. Friend the Member for Meriden (Saqib Bhatti) on securing this important debate.

Fly-tipping is a consistent problem in Peterborough. Two years ago I raised the local issues in my constituency at length in an Adjournment debate. I am sick to death of seeing hotspots in my constituency. The junction between Norwood Lane and Newborough Road is a particular problem. As many hon. Members have said, the question is not whether this is an urban or rural issue—it affects both settings. Urban communities such as Bretton and Ravensthorpe in my constituency are plagued by it, as are rural villages such as Thorney and Newborough.

I will not take up Members’ time by talking at length, not least because the issues from two years ago have not changed. We need more powers to combat fly-tipping. Along with others, I called for higher fines beyond the current fixed penalty notice limits, argued for a zero-tolerance approach, made the case for new Government guidance, and suggested better tools and resources for local authorities. The Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Taunton Deane (Rebecca Pow), expressed lots of sympathy, noted that the legal issues involved were complicated, cited some positive-sounding statistics, and urged patience. To her credit, since then enforcement action has risen, but so have incidents of fly-tipping. We need the online fly-tipping toolkit. Much of the guidance still offers less than zero tolerance.

Since taking over this brief, my the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Bury St Edmunds

(Jo Churchill) has announced that people will no longer have to pay to dispose of DIY waste, which will make a real difference. She has also advanced the move towards digital waste tracking, with powers and penalties to match. I gather that the first element of the toolkit is near to launch, which is music to my ears. She has also questioned whether fixed penalty notice fines are high enough to act as a deterrent. I welcome what she has done, but I also pass on to her the desire of my constituents in Peterborough for the Government to keep going, and to go further.

One easy step would be to revise the two guidance documents that I cited two years ago: “Fly-tipping: council responsibilities” and “Household waste duty of care: fixed penalty notice guidance”. They have not changed. The language and direction could be far more robust, and they are far from the only instances. Moreover, I understand that that upping the penalty limits would require legislation, so I hope that the Minister will look at whether that can be done.

As has been said, fly-tipping is often the result of organised crime. That is absolutely right. It is often the case in rural settings and we need to crack down on it. Enough is enough. Our communities should no longer be used as dumping grounds. We need zero tolerance, stricter fines, CCTV enforcement and stronger guidance from the Government. Fly-tipping blights too many of our communities. It is time for us to act and to start driving the number of incidents down.

3.14 pm

Mr Gagan Mohindra (South West Hertfordshire) (Con): It is a real honour to speak in this important debate, Sir Mark. I congratulate my hon. Friend the Member for Meriden (Saqib Bhatti) on securing it. I should declare an interest as a former councillor for many years.

I think we are on a journey. When I first got elected as a lowly parish councillor in 2004, recycling was nowhere near as good as it is today, so I congratulate constituents up and down the country for doing the right thing. My own council, the Three Rivers District Council, is the third best performing council in the country for recycling, so I wish to put on the record my thanks to my constituents for doing the right thing.

As others have said, illegal fly-tipping can cause significant damage, especially to local wildlife but also to the perception of communities. My hon. Friend the Member for Wimbledon (Stephen Hammond) referred to Network Rail. The speed at which fly-tipped waste is collected can have a detrimental effect. If we do not encourage all actors to quickly resolve the issue, there can be a spiral of disrepair.

I represent South West Hertfordshire, a beautiful constituency that is about 80% green belt. Others have spoken about the cost to private landlords when fly-tipping takes place on their land. This Government and previous Administrations have done a lot of work on this issue, such as confiscating vehicles found guilty of crime, but more can be done. Part of that, as others have said, is education. I had a constituent who was a victim of beer barrels being fly-tipped. The local council claimed that it was investigating, but it ended up that the constituent spoke to the offender, during a time when they were undergoing radiotherapy. That should not have had to

happen. There is always a human victim at the end of this crime. The land can be blighted, but it is the landowner or occupier who has to deal with the issue.

The private sector is also affected. Waste collectors that do the job properly get targeted or associated with the poor performers. I know that they are proud of their industry. I am really keen for the cost base to remain low; we need to make sure that where businesses are doing the right thing, we congratulate them. This place is one of many where we are able to do so.

I welcome the Government's April announcement on new council grants and a specific focus on new technology, the use of CCTV and ANPR cameras, and education. The hon. Member for Barnsley East (Stephanie Peacock) mentioned the police and crime commissioner in Hertfordshire. Buckinghamshire, just across the way from me, has extended its funding to local councils. I hope that Hertfordshire councils—district, borough and the county council—can look into doing a bit more.

The Government have adopted new technology with new applications coming out. I look forward to investigating that more. I am a firm believer that the world evolves and it is right that the Government lead those conversations. The consultation published last month on the change in household waste recycling centres is really important. The past two years have seen a lot of homeowners redevelop their own homes. Having a cheap and easy way of making best use of waste facilities is good.

I am conscious of time, so I will wrap up. I congratulate the Minister on the excellent work that she continues to do in this area.

3.18 pm

Sir Gavin Williamson (South Staffordshire) (Con): It is a pleasure to serve under your chairmanship, Sir Mark. I congratulate my hon. Friend the Member for Meriden (Saqib Bhatti) on securing this debate.

We have heard already about the impact of fly-tipping right across the country. We have heard how it blights communities and disrupts people's lives. In South Staffordshire, sadly, we often have to deal with industrial-scale fly-tipping—not just a mattress, sofa or small items of building products, but large truckloads abandoned in woods and on the roadside. That has an enormously high cost, be that for the landowner or the local authority. Even more importantly, it blights the local community in such a dreadful way.

We know that the cost of disposal is high. For an individual or an authority that has to dispose of fly-tipped goods, the average cost is £800. The Minister will probably talk about the large fines that can be levied on fly-tippers—she will probably mention that a fine of up to £50,000 can be levied. If she does, I hope she also mentions how many individuals have been charged that top fine of £50,000. I know that in the past it has been exceptionally rare, so I hope she will cover that.

A few years ago, the Government made an important move by giving local authorities the ability to levy on-the-spot fines. That had an initial impact, but it does not go far enough. The largest fine they can levy is £500. As has already been touched on by my hon. Friend the Member for Totnes (Anthony Mangnall), the cost of actually bringing a prosecution averages between £1,500

and £2,000. The investment that needs to be made by local authorities to catch these criminals can often be substantial.

I would like to make a suggestion to my hon. Friend the Minister. As she will be aware, the Queen's Speech included the Levelling-up and Regeneration Bill. What better way to level up and improve communities than by having that Bill address fly-tipping? I suggest to the Minister—she could go back to the Department and claim that this is all her own work—that the limit for on-the-spot fines levied by local authorities should be increased dramatically to £5,000. People who dump rubbish would then feel the pain for causing disturbance, nuisance and vandalism to our countryside.

Will the Minister also consider amending legislation so as to enable local authorities to make better use of closed-circuit television in a concealed environment? So often, fly-tipping occurs regularly in spots across the countryside because they are conveniently located close to main arterial roads. Changing the legislation to enable local authorities to make better use of concealed CCTV would have an enormous impact by increasing the number of fly-tippers they could catch. It would allow local authorities to keep those fines, creating the incentive to go after the fly-tippers.

3.22 pm

Laura Trott (Sevenoaks) (Con): It is a pleasure to serve under your chairmanship, Sir Mark. I congratulate my hon. Friend the Member for Meriden (Saqib Bhatti) on securing this debate on an issue that is so important to his constituents and to all of us here.

Fly-tipping is a perennial problem in Sevenoaks and Swanley. In the last year alone, we have had 1,600 incidents—one of the highest numbers I have heard today. Some of them have been dangerous. Similar to the example given by my hon. Friend the Member for Moray (Douglas Ross), we have had asbestos dumped in Ash, which led to a road being blocked off for two weeks. We have had dangerous waste dumped in Shoreham Lane, leading to farm animals eating it and dying. We have had horse corpses dumped on land. On some occasions, they were dying horses, which was very distressing for everybody involved. We have had rubbish dumped in Horton Kirby and Fawkham, which obviously caused huge issues for people just trying to go about their daily business. This is an issue that absolutely needs resolving.

The good news is that, in Sevenoaks and Swanley, Sevenoaks District Council has done a huge amount of very good work focusing on enforcement. I am pleased to say that we are, I think, the only district council in Kent that has a dedicated fly-tipping enforcement agency, which has worked very hard to secure prosecutions this year. We have had eight criminal prosecutions, I think, and about 50 fixed penalty notices and lots more statutory warnings.

Just last Friday, a case was prosecuted against someone who had fly-tipped five times. He received a 12-month community order and was ordered to pay £3,000 in compensation to Kent County Council and £250 to Sevenoaks District Council. These fines are not enough to deter people, especially repeat offenders such as the one I just mentioned. My right hon. Friend the Member for South Staffordshire (Sir Gavin Williamson) and my hon. Friend the Member for Totnes (Anthony Mangnall)

[*Laura Trott*]

were absolutely right that we need to focus on not only the maximum level but how much local authorities are able to get back from people who carry out these irritating crimes that are causing such a blight on our communities.

We also need to focus on the role of the Environment Agency. According to the National Audit Office, the number of Environment Agency prosecutions for waste crime has dropped from nearly 800 a year in 2007-08 to about 50 a year in 2017-18. The Minister will tell us whether that trend is reflected in the current figures—I do not have those for this year—but it seems worrying and we should act quickly to address it.

I agree with my hon. Friend the Member for Totnes about compensation for councils so that they recoup their fees when they prosecute such cases. It is just not economical for them to do so, because they recoup only 40% of their fees on average. Sevenoaks District Council spent £23,000 on this matter last year. We need to do more to support councils that are trying to do the right thing by addressing this blight on our communities.

I will leave my remarks there. I am grateful to the Minister for all her work—I know that she is focused on this matter—but the strength of feeling in the debate shows that more needs to be done.

3.25 pm

Cherilyn Mackrory (Truro and Falmouth) (Con): It is a pleasure to serve under your chairmanship, Sir Mark. I congratulate my hon. Friend the Member for Meriden (Saqib Bhatti) on securing the debate, and I welcome the hon. Member for Birmingham, Erdington (Mrs Hamilton) to Westminster Hall for the first time.

I speak as a former Cornwall councillor and as the Member representing Truro and Falmouth in Cornwall, where fly-tipping is a major concern, as it is in the other constituencies we have heard about in the debate. I regularly hold beach cleans and litter picks around the coastline and throughout the countryside—we are deeply saddened to see our beauty spots stained by the irresponsible dumping of household goods—and I thank my parish and town councils and the volunteers who take part every day. In Cornwall, it feels like it is in our DNA to pick up litter where we see it.

Fly-tipping is a significant blight on the environment. It is a source of pollution and a potential danger to public health, and it costs council tax payers vast sums every year. Every year, Cornwall Council spends an estimated £250,000 on clearing up waste that has been tipped around the duchy. It is no wonder that the people of Truro and Falmouth have had enough.

Unlike some who have spoken, I will not name our hotspots, and I hope that hon. Members will understand why. My hon. Friend the Member for Totnes (Anthony Mangnall) spoke about the national trend, but in Cornwall we have seen a decrease in our instances of fly-tipping since the pandemic. In 2018, we had just over 4,500 instances throughout the whole of Cornwall, while last year, we had just over 3,000. I am pleased to say that that is because we now have a Conservative council that is actually tackling the issue, and I thank everybody involved at the council—the officers and the councillors—for their incredible hard work.

The council's strong joint-working relationship with the waste contractor means that it now has many individuals on the ground to help to gather evidence. The council has also trained town and parish councils on how to report instances of fly-tipping, ensuring that they provide sufficient information for cases to be investigated and that partner organisations are credible witnesses when they identify fly-tipping.

Council officers also undertake surveillance operations in known fly-tip hotspots, using camera equipment. The council successfully prosecuted a persistent fly-tipper in February 2022 following a surveillance operation—the prosecution resulted in fines and costs of £7,348—and further operations are being organised. Although that is positive progress, nobody should fly-tip at all, and that is why we still have much work to do.

I will not repeat the calls for the Government to act, because I know that we all feel the same way, but I support the calls from the National Farmers Union for effective punishments to deter criminals from dumping waste illegally. That could be achieved by developing further guidance so that effective punishments can be delivered when prosecuting, which would support our farmers and landowners. That would include raising awareness of offences that affect rural and coastal communities in particular, and working with those who bring cases to court to ensure that they make full use of the range of sentencing powers available to them.

In addition, I support the NFU's calls for the development of a single reporting mechanism so that farmers and land managers have to report a fly-tipping incident only once. Currently, victims often need to report incidents to multiple authorities, which is frustrating and time-consuming for busy farmers. Such a mechanism would ensure that the correct authority is informed and that feedback is available following each report. I stress that I also support the call for increased fines, but I will let the Minister address that because I know that she has already heard the call from colleagues today.

3.29 pm

Ruth Jones (Newport West) (Lab): It is a pleasure to serve under your chairmanship, Sir Mark. It is good to see so many colleagues in the Chamber, especially Government Members who are joining us in our plea for the Government to go further and faster in tackling the crime of fly-tipping and illegal dumping.

This is the first time I have spoken in the House since the election of a Labour Government in Australia, and I know the Minister will join me in wishing the new Prime Minister well on such a fantastic result. He is a friend to many in this place, including Adam Jodge in my team. Focusing on tackling the climate emergency worked down under, and I look forward to seeing the same thing happen here—and, of course, I am hoping for the same result here in the next election.

I thank the hon. Member for Meriden (Saqib Bhatti) for calling this debate and providing the House with the opportunity to address our collective responsibility for preserving our country, protecting our environment and leaving our planet for the next generation. His predecessor, Dame Caroline Spelman, was of course Secretary of State for Environment, Food and Rural Affairs in the coalition Government, so his constituency has a keen interest in these matters. It has been clearly

highlighted that many other constituencies across the UK do too, and the public are keen to do whatever they can to help. We have already heard about the Wombles and the litter-pickers across the UK. In Newport West, Malpas, Duffryn, Rogerstone and Graig all have litter-pickers out in regular occurrence. Our “road to nowhere”, which was a fly-tipping nightmare, has now been transformed into a road to nature, which is brilliant.

Hon. Members have rightly raised the scourge of waste in their communities, not just today but in many previous debates. Until Ministers step up and give councils the resources they need to keep our communities clean and safe, Members will continue to raise this issue and seek help, change and assistance. Thanks to a lost decade of Tory austerity, plastic waste is piling up on high streets and street corners, and in our green open spaces. Moreover, it is being exported to some of the world’s poorest countries, where what was supposed to be recycled material ends up in landfill, polluting our oceans. It is then shipped back to Britain for us to deal with. This is a very real problem, and it requires speedy, comprehensive and properly funded solutions.

The hon. Member for Sevenoaks (Laura Trott) highlighted the decrease in prosecutions by the Environment Agency. There is a reason for that: these agencies have been underfunded and understaffed for many years, and they have struggled to tackle waste crime and monitor waste exports because of the cuts to their budgets and staff numbers. We all know the impact that austerity has had on local government.

Hon. Members from across the House, including those who represent areas such as Meriden, have stories of how their local councils are struggling to deal with waste effectively, while being forced to cut waste collections. Labour believes that we need a more circular economy in the United Kingdom. The raw materials used to create our products should increasingly come from recycling our waste. Indeed, a Labour Government would take on the global waste crisis by investing in a new plastics recycling and remanufacturing industry, creating thousands of jobs, ending exports of plastic waste and reducing our contribution to ocean pollution.

I am sure the Minister knows that in England, the total volume of aggregate waste increased by 12% between 2010 and 2018. I speak to the House from a Welsh perspective: recycling must outpace the growth in consumption. That is a very simple sum that must add up.

Despite the new powers on waste targets in the Environment Act 2021, I am afraid that the Government have delayed the roll-out of important areas of extended producer responsibility, including the scheme administrators and fee modulation. The current inadequacies of waste collection and recycling systems mean that used compostable packaging tends to end up in either landfill or incineration, or it messes up recycling plants because some of the materials used can be as resistant to degrading in the sea as conventional plastics.

I do not want to show the Minister up, but I have to talk about the Welsh Labour Government, because Wales has been a standout performer in the UK when it comes to recycling rates and tackling waste pollution. The Welsh Labour Government have invested £1 billion since devolution in household recycling, and that has helped Wales’s recycling rates catapult from just 4.8% in 1998 to over 65% in 2021. The latest national recycling figures for Wales showed that we recycled 65.4% of our

local authority-collected waste in 2020-21. Eighteen of 22 local authorities in Wales exceeded the statutory minimum target, and 13 reported an increase in performance on the previous year. The next statutory minimum target of 70% by 2024-25 has already been achieved by Pembrokeshire, Ceredigion, Conwy and Vale of Glamorgan. If the hon. Member for Meriden is hoping to find solutions to tackle waste pollution in his constituency, I urge him to look to Wales.

There are a couple of further points of interest. On the international dimension, since China banned the import of waste, illegal exports to other countries appear to be on the rise. I wonder why that is. England does not have the necessary waste and recycling infrastructure. I am afraid that has been made much worse by the soft-on-crime Conservatives, whose savage cuts have caused Environment Agency inspections and enforcement action to plummet since 2010.

When trying to stop waste and fly-tipping in our communities, it is worth looking at the provision for a deposit return scheme in Environment Act. That is limited to certain materials, rather than creating a framework that could be broadened to include more types of plastics or bioplastics in future. We know that deposit return schemes work successfully in other countries. We made it clear throughout Committee stage of the Environment Act that Labour supports a scheme funded by retailers and producers that collects plastic bottles, metal cans and single-use and reusable glass.

This is about pride and who we are as a country. For all the points we have raised about how to tackle the issue, we cannot ignore behaviour change. Waste does not just appear; it is caused by us all—everyday people going about our lives. That is why it is key that alongside all the enforcement, policies and decision making here in this place, we keep the focus on educating people. As my hon. Friend the Member for Barnsley East (Stephanie Peacock) said, education is key. That starts with how we preserve our planet by disposing of waste properly and safely, and includes why we all benefit from seeing and living on clean streets.

I hope the Minister will provide some answers to my questions. What are her plans to extend the deposit return scheme in the way Labour suggested? What discussions have taken place with the Treasury and the Secretary of State for Levelling Up, Housing and Communities about ensuring that councils have the resources they need to tackle waste pollution? What lessons have been picked up from Wales, Northern Ireland and Scotland about their approach to tackling toxic waste, fly-tipping and waste pollution? Those are simple questions and I hope the Minister will be able to give some answers.

I thank you, Sir Mark, for an interesting debate, and I am grateful to the hon. Member for Meriden for bringing it to the Chamber.

3.37 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Jo Churchill): It is a pleasure to serve under your chairmanship, Sir Mark. I congratulate my hon. Friend the Member for Meriden (Saqib Bhatti) and all right hon. and hon. Members who have come to this Chamber to tell us forcefully that we need to keep our foot to the floor on fly-tipping. It blights all our communities across the country, from

[*Jo Churchill*]

Wales to the east of England and from Scotland to Cornwall, but we have heard glimmers of where working together can start to deliver change.

I hope to go over some of the things that my hon. Friend raised and to outline a little more how we are driving forward in some of these areas. As many Members touched upon, and as the head of the Environment Agency said, waste crime is the new narcotics. There is a lot of money in it, and it drives antisocial behaviour. While I am here, I congratulate the hon. Member for Birmingham, Erdington (Mrs Hamilton) on her powerful contribution, and her council on being one that really does drive forward those enforcement measures and ensure that people receive the full force of what we are able to do, in telling them that it is not good enough to litter communities and to fly-tip.

The Government have been taking significant action and are committed to stamping out fly-tipping. I share everyone else's abhorrence of it. It blights communities and the environment. It is extremely impactful on animals and, as we have heard, on human health on occasion. As my hon. Friends the Members for Sevenoaks (Laura Trott) and for Moray (Douglas Ross) said, some of the things that are dumped are completely unacceptable.

Fly-tipping has been debated in the House in previous years. Since then, we have made significant progress and we have given local authorities and regulators new tools to tackle the menace, but we need them to use their powers. It is not enough to keep a cookery book closed; it has to be opened for the joys to be discovered. If councils really want to help us with fly-tipping, they must take every ability we have given them to beat it. We have strengthened powers to search and seize the vehicles of suspected fly-tippers. We have legislated to introduce fixed penalty notices for fly-tipping and for householders who give their waste to fly-tippers. The hon. Member for Barnsley East (Stephanie Peacock) mentioned the need to make sure that licences are checked. Actually, that is a householder's responsibility, but not everybody knows that they have to do that. As that system becomes electronic, it will be considerably easier for people to go online—like we do with other things—and check the licence. If somebody does not have the appropriate waste carrier licence, they should not be used for waste disposal.

It is important to ensure that everybody is up to date. For example, if a kettle breaks down, as a small electronic good it can be taken back to the retailer and they will get rid of it. Not everybody is aware of that, so they can be seen littered across our countryside. I am due to meet with manufacturers of mattresses on 6 June, because of mattress mountings—I think it was my hon. Friend the Member for Peterborough (Paul Bristow) who mentioned mattresses being dumped. It is a problem up and down the land. Extended producer responsibility is slowly going through, but I want to see manufacturers coming forward and voluntarily saying what they will do with their items. The paint manufacturing industry recently came to me because it has developed a scheme in Cambridgeshire, which I hope to see, where paint can be taken back to any retailer.

Along with things like the DIY consultation, which we will be completing shortly, it is important that people have options with what to do with their waste. The majority

of fly-tipping is the size of a small van or the boot of a car. It is small scale, notwithstanding what my right hon. Friend the Member for South Staffordshire (Sir Gavin Williamson) said was happening in some areas of the country. My hon. Friend the Member for Keighley (Robbie Moore) mentioned tyres. With particular items, we are having to drill down on how we tackle them.

Sir Gavin Williamson: The Minister made the strong point that it is important for local authorities to take responsibility and to use the powers that they have as effectively as possible. Is she willing to consider the prospect of increasing the amount of the fixed penalty fine that they can levy? I think it is currently set at £500. Could that be increased substantially?

Jo Churchill: Fixed penalty notices are currently set at £400. Local authorities can issue fines of up to £400 to fly-tippers and householders who pass their waste on to those who are not licensed. I will take that point away, because my right hon. Friend is not the first to say that perhaps the fine is not high enough. However, some councils do not even use the powers that they have to fine people up to £400. I really urge people to use everything we have given them.

Anthony Mangnall: I am sorry to interrupt the Minister, but just to go back, she was talking about the need for licensing for waste clearers. However, in some instances, it is quite easy to get a licence. It needs to be more rigorous. How do we make sure it is not too easy for someone who commits a crime, or actually fly-tips, to apply and be given a licence?

Jo Churchill: It is about building blocks and making sure that we have the proper ability to investigate whether waste carriers and brokers are suitable to hold a waste licence. That is part of what we are trying to do. I commend the MSP, Mr Fraser, for driving this forward among the Scottish Conservatives. It is really important to all our constituents.

I was pleased to see that Aylesbury Crown court recently sentenced a serial fly-tipper, who had dumped rubbish in multiple local authorities, to 21 months in prison and seized his van. That is important, because it shows what many Members present have asked for: a deterrent and a strong, firm approach.

The Government outlined how we intended to strengthen enforcement powers through the passing of the landmark Environment Act 2021. We have fulfilled that commitment. The Act ensures that agencies and authorities can work effectively to combat waste crime through better access to evidence and powers of entry. The Environment Agency was granted access to the national automatic number plate recognition service in 2021, giving it the ability to better trace those using vehicles for illegal waste activities.

As my hon. Friend the Member for Meriden acknowledges, this issue is not something that my Department can tackle on its own. It is not enough for us to provide the tools; the tools must be used. It is also important that we work across Government, which is why I have spoken to Baroness Vere in the Department for Transport about National Highways. I note that my hon. Friend the Member for Wimbledon (Stephen Hammond), who is no longer present, asked for a similar approach

with Network Rail. It is about us joining up. My hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) spoke about her council, which has joined up at multiple levels, including parishes and so on. We can get on top of this problem.

I agree with the hon. Member for Newport West (Ruth Jones) that this is about education. We do fund education through WRAP, Keep Britain Tidy, Recycle Now and others. This year, I have secured funds to drive our education campaign work forward. I will be looking at how we can best target that and what we can do with it. I know many voluntary organisations already do phenomenal work and, although it is not a laughing matter, have tremendous names—the Rubbish Friends, the Wombles, and so on. They are encouraging young people, Scouts groups and many other parts of our community to get involved to clean up the areas that they love. It is really commendable.

I urge the councils of all Members present to feed back to us as much enforcement data as possible. My records show that Solihull Metropolitan Borough Council has not issued any fixed penalty notices or brought forward any prosecutions since 2014-15. In total, 19 local authorities in England reported no action taken in 2021. Councils keep the proceeds of fixed penalty notices, so they can use those to step up enforcement efforts. There is something cyclical here. The hon. Member for Hyndburn (Sara Britcliffe) is no longer present, but neither Rossendale nor Hyndburn has, in fact, issued any FPNs. As I say, it is good to hear about the joint working, but I need councils to work with us so that we can do more.

Robbie Moore: Does the Minister agree that the Government should name and shame councils that are not issuing fixed penalty notices when concerns are being raised by their constituents? Does she also agree that the individuals who are fined and receive fixed penalty notices should be named and shamed in the public domain?

Jo Churchill: We are straying into sentencing and so on, which does not come under my Department. Much of what has been spoken about today involves me talking to colleagues in the Department for Levelling Up, Housing and Communities and so on. However, I will take away those questions, because I think it is right that the fine should fit the crime. Those discussions are ongoing.

We are looking to improve the environmental quality of all our communities. We have more ambitious plans, such as introducing the deposit return scheme to ensure that billions more drink bottles and cans are safely returned and recycled, and to ensure that the recyclate coming from that is of a better quality, so that it can enter a circular economy. I fully agree that that is what we should be aiming for. As I say, we have spoken to National Highways to tackle the scourge of roadside litter, and to the Ministry of Justice to support the community payback schemes that have been so fantastic at cleaning up some of our communities. We also want to explore what more can be done on sentencing for more serious waste-related crimes.

As part of wider reforms, extended producer responsibility will move the cost of the disposal of packaging in street bins from local taxpayers and residents on to the producer. I am sure that that strikes us all

as fairer. These measures will have an enormous impact on plastic and other litter that we see on our streets, in our and in our waterways. To support innovative local action, in 2012 we commissioned the Waste and Resources Action Programme to administer the fly-tipping intervention grant scheme on our behalf. That was the grant of £450,000, which many Members mentioned, to enable a number of councils to implement a range of measures to tackle fly-tipping. Projects being funded include a combination of artificial intelligence and APNR cameras in Buckingham, the trial of “No bags on the street” in Newham, CCTV enforcement in Durham, and directing offenders to a digital education tool. I am pleased to say that we are looking to extend that grant, and I will be giving more details. It has been very popular, and many councils wish they could have availed themselves of it.

We also recognise the importance of local residents being able to dispose of rubbish in a responsible, simple way. We are working with councils on legislative powers to bring in consistent collections to make the system easier. We are consulting on preventing charges for DIY waste because, as many Members have said, that is a problem that blights neighbourhoods. We are also seeking views on household waste recycling centres because, again, some behaviours have changed over the past two years with the covid pandemic. As we have seen, that has led to a rise in some of the behaviours that we want to drum down on.

Mrs Paulette Hamilton: The Minister talked about recycling centres, and earlier somebody mentioned mobile recycling centres. Has the Minister done any evaluation of mobile recycling centres? In Birmingham, they have proved exceptionally successful. It would be interesting to find out what work is being done to support local authorities to expand that type of scheme.

Jo Churchill: I thank the hon. Lady. I made notes during the debate and can see everybody’s constituency highlighted, but I cannot see who mentioned mobile collections. That is a fascinating idea to explore a little more, particularly for items that are difficult to recycle, such as lithium batteries. Having a small van where those items can be left might work very well. Was it my hon. Friend the Member for Meriden who mentioned mobile collections?

Saqib Bhatti *indicated assent.*

Jo Churchill: I am sure I will pick that up with my hon. Friend after the debate.

DEFRA continues to chair the National Fly-Tipping Prevention Group, through which we work with a wide range of interested parties, such as local authorities, the police, the Environment Agency and the National Farmers Union, to disseminate good education and learning. My own farmers have spoken to me at length about it, so I know they will be pleased to hear that my hon. Friend the Member for Meriden highlighted how farmers’ land is blighted across the country. This is a rural crime, and many of us understand the impact it has on farmers and businesses, because they are obliged to clear it up when it is on their land.

We are currently working with the NFTPFG to develop a fly-tipping toolkit to share best practice. That toolkit will ensure that people can present robust cases to the

[*Jo Churchill*]

courts to support tougher sentences. We intend to deliver that shortly. We have already started working on the next element of the toolkit: how councils can set up and run an effective fly-tipping partnership. We expect to have that published before the end of the year.

We recently concluded two online consultations on how to tackle waste crime while supporting people and businesses to manage waste correctly. I fully agree with my hon. Friend the Member for South West Hertfordshire (Mr Mohindra) that we must support businesses that are doing the right thing. Those are the ones that we do not want to be penalised because others do things badly. We will reform and strengthen the waste carriers, brokers and dealers regime by moving it to a permit-based system, increasing competence and the background checks required to move or trade waste. We are taking forward the introduction of mandatory digital waste tracking, which will also help us to detect, enforce and prosecute, as the hon. Member for Barnsley East pointed out. I hope that it is clear that we are taking extensive action to tackle the scourge of fly-tipping. That action, along with the tireless work of local authorities and many other community organisations, will deliver significant results.

I thank my hon. Friend the Member for Meriden once again, and I also thank the hon. Member for Birmingham, Erdington, my right hon. Friend the Member for South Staffordshire, and my hon. Friends the Members for Keighley, for Loughborough (Jane Hunt), for Hyndburn, for Moray, for Totnes (Anthony Mangnall), for Peterborough, for South West Hertfordshire, for Truro and Falmouth and for Sevenoaks. They are literally from the top to the bottom of our beautiful country—

“This earth of majesty, this seat of Mars,

This other Eden, demi-paradise,

This fortress built by Nature for herself.”

That is the rest of the quote given by my hon. Friend the Member for Totnes. Let us ensure that we sort this out and do the right thing.

3.55 pm

Saqib Bhatti: Thank you for your chairmanship, Sir Mark. I hope that you found the debate as important and fascinating as I did. Clearly, we have a range from William Blake, to Shakespeare, to poo today, which is quite poetic in itself. I thank hon. and right hon. Members from across the House for their contributions to the debate. I am sure that their constituents will be incredibly proud of how they have stood up for them today.

I welcome my neighbour, the hon. Member for Birmingham, Erdington (Mrs Hamilton), to her first Westminster Hall debate. She talked about austerity, but I would gently remind her about the negotiations around the bin strikes that happened, and what that led to. However, I am sure we will have lots of sparring time in the Chamber, and I look forward to that, as I am sure she does.

I thank the Minister for her response. In the research that I did, there were plenty of *Hansard* contributions that demonstrated her determination to deal with this issue, and I thank her for that. I am pleased to hear about the further funding intentions, and that she will also think about the mobile recycling units, which I am very keen to pursue for my own council.

I will keep my remarks very short, but given the strength of feeling, I am sure the Government have taken a strong steer and that the message will go back. I thank my very noble and committed parish councils and the community groups I have named. They inspire me every day to keep Meriden clean and tidy.

Question put and agreed to.

Resolved,

That this House has considered the matter of tackling fly-tipping and illegal dumping.

Great British Railways Headquarters: Swindon's Bid

4 pm

Sir Mark Hendrick (in the Chair): I will call Sir Robert Buckland to move the motion and then the Minister to respond. There will not be an opportunity for the Member in charge to wind up, as is the convention for 30-minute debates.

Sir Robert Buckland (South Swindon) (Con): I beg to move,

That this House has considered Swindon's bid to host Great British Railways' headquarters.

It is a pleasure to serve under your chairmanship, Sir Mark, and to see the Minister of State, my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton), in her place. I am grateful to the House for allowing me the opportunity to address it on a matter of significant importance to the town I have the honour of representing. I speak today as the Member for South Swindon. My hon. Friend the Member for North Swindon (Justin Tomlinson) is on paternity leave—he recently had the good news of a second daughter, so he is well and truly outnumbered in his house. He strongly supports not only this debate but the bid that Swindon has made to be the headquarters of Great British Railways. I am grateful that the bid is also supported by my right hon. Friend the Member for Chippenham (Michelle Donelan), in her constituency capacity, and by my hon. Friends the Members for North Wiltshire (James Gray) and for Devizes (Danny Kruger)—all constituencies near to or bordering Swindon.

My hon. Friend the Minister will have spent the past several months fielding increasingly plaintive and perhaps strident requests from a large number of parliamentary colleagues and others, extolling the relative virtues of their local bids. I thought I would start not with the merits of Swindon's bid, but with what it is that we are bidding for. For me and those who think like me, this is more than just an argument about where to cite a cadre of civil servants. It is more than deciding which building to use or what configuration things will take. It is more than something that looks little different from the existing Network Rail. In short, this is not Network Rail with a rebranding. The business model that governs railway service delivery is—I think by common consent—a flawed one.

We are at 72% of pre-covid passenger levels, but something has changed forever. Saturday is now the busiest passenger travel day, followed by Sunday and then Friday. Commuters are still travelling for business purposes, but the era of the annual season ticket is almost completely dead. Why, in the light of this newly acquired knowledge, do we persist with engineering works on weekends and holidays? That is one question that the new body will have to answer. It will also have to build on the work of the Williams-Shapps report. In my strong opinion, a complete and fair review is needed.

A system where the rest of the country, including Swindon, subsidises fares in the south-east is neither fair nor sustainable. A system where a peak-hour ticket from Swindon to London is one of the most expensive tickets in Europe is certainly not fair or sustainable. That is why we need not just a building, but a hothouse

of innovation, designing the railway network of tomorrow: its installations, equipment, people, systems and structures. That is the very first of the core goals set out by the Secretary of State in the Department for Transport's framework document: changing the culture of the railways, rather than merely replicating Network Rail. I put it firmly on the record that we in Swindon understand that better than anybody.

The second core goal is to think like customers and put them first. With thousands of rail users coming through Swindon every day, that is frankly our default position. We have no choice but to think like them and think as them. The third goal is to grow the network and get more people travelling, and the fourth goal is to make the railways easier to use, and I will go on to address those issues.

The fifth goal—an important one—is to have greater accountability, to drive down costs and to increase efficiency. No. 6 is to have a can-do, not a can't do, culture—again, something that is in the blood of what we are about in Swindon. Then, there is harnessing the best of the private sector, and I will enlarge on that. Finally, there is the critical role to be played in the shift to net zero. In summary, it is Swindon that encapsulates all those core goals.

Let us take the private sector. For a long period now, we have enjoyed the presence of major engineering firms, such as Atkins, Amey and Hochtief, all of which are based in our town. That immediately provides the potential headquarters with excellent proximity to partnership opportunities that will not exist elsewhere.

The net zero commitment has been exemplified by the electrification project that has transformed the Great Western Railway in our region and seen Swindon play a key role not only in the construction of that new electrified railway but in training—through the training centre that we have—to ensure that electrification was a success, and it is a success, with rail journeys to London now being reduced by an average of five to 10 minutes.

As I have said, in everything we do in Swindon we are a can-do economy. We find solutions to problems, we get on with the job and we often work so hard that we do not really signal our own qualities as well as we might do. Well, today, and in this bid, there is a chance for those qualities to be recognised.

Let me turn to the six selection criteria set out by the Government. I would argue that Swindon matches up magnificently to them all. First, there is:

“Alignment to Levelling Up objectives”.

Levelling up is not about simple geography; it is not about north, south, east and west. It is about disparities of income, disparities of opportunity and disparities in the quality of life. The Government have already acknowledged, through the towns fund initiative and the future high street initiative, which is benefiting Swindon, that the regeneration of our town centre is a key national priority. Siting the new Great British Railways headquarters right in the heart of the town, next to the railway and in buildings owned by Network Rail or the local authority, would entirely align with that objective. Moreover, it would align with the skills objective that is a key part of levelling up.

Recently, the Government made Swindon an education investment area, which means that we will get extra support to address the skills gap and the need to equip

[*Sir Robert Buckland*]

our young people for the jobs of the future. We are addressing those challenges by really focusing on science, technology, engineering and maths—STEM subjects—and technical education. The £21 million Swindon Institute of Technology, based in the town, provides technical qualifications and now offers higher apprenticeships for technical and digital roles. Right next to where the new headquarters could be is a university technical college, which was set up 10 years ago to provide youngsters from 14 to 19 with STEM skills and which provides particular apprenticeships to Network Rail. That is already happening, so we have a supply line of the talented young people that GBR will need if it is to survive.

I have mentioned training. We already have the £10 million state-of-the-art Network Rail Electrification Training Centre right next to the station in Swindon. There is so much going on—so much potential—and so much more to be done.

James Gray (North Wiltshire) (Con): I apologise to my right hon. and learned Friend and to the House for being a few minutes late at the beginning of the debate. I am very sorry. May I assure him that the talent that will be required for this great new headquarters could come from not only Swindon but the rest of the county of Wiltshire as well? May I also assure him that he has strong support not only from myself and the people of North Wiltshire but from our hon. Friends the Members for North Swindon (Justin Tomlinson), for Salisbury (John Glen) and for Devizes (Danny Kruger), and our right hon. Friend the Member for Chippenham (Michelle Donelan)? Indeed, he has the unanimous support of all the Wiltshire MPs for his bid, and we very much hope it is successful.

Sir Robert Buckland: I am extremely grateful to my hon. Friend; with his powerful words, he has exemplified the point that boundaries are not important here; it is the talent that we want to encourage. As a hub of excellence and economic activity, Swindon is so important to the regional economy and—I would say—the national economy as well.

The second criterion for a successful bid is connectivity. It must be:

“Connected and easy to get to”.

Swindon's key position on the Great Western Railway is self-explanatory; we are an hour from London, Cardiff, Birmingham and Southampton. We have the M4 corridor, and the A34 is nearby. We have the A419 and A417 corridor—soon to be further improved by Government investment. All those make our connectivity in Swindon second to none.

The third criterion is about the opportunities for Great British Railways and how the location can enhance engagement with customers, the private sector and the wider rail industry. I have already outlined some of the outstanding engineering firms that are based in Swindon, but the proposal set out in the document that has been lodged by the bid outlines a very exciting opportunity for the new headquarters to be located in a railway works building right at the heart of the Swindon railway conservation area. This building—what we call the Workshed—is already a seedbed of innovation and new technologies. It is an incubator of new ideas.

Frankly, I cannot think of anywhere better for Great British Railways' headquarters to be sited than in an historic environment with strong links to Brunel's wonderful railway and with all that potential for the future. The situation in Swindon will not require complicated land acquisitions. As I have alluded to, the land is already either in the possession or ownership of Network Rail or the local authority, Swindon Borough Council, which wants to work constructively with Network Rail to provide a complete package. We already have an almost tailor-made site for the headquarters.

The fourth criterion is about railway heritage and links to the network. Where do I begin? We have the outstanding STEAM museum—the Museum of the Great Western Railway. It is a shrine to Isambard Kingdom Brunel and, most importantly, the great locomotives of the past and the history of the railways in Swindon. Some supporters, in particular the Alfred Williams Heritage Society, have described the railways as being as important to Swindon as, for example, shipbuilding was to Belfast. They were the reason the small market town of Swindon grew in the 19th century to become the major centre that it is now. Without the railways, Swindon would be a very different place. It would have a completely different quality. I believe it would have been diminished, because the railways made Swindon the powerhouse that it is today. We are all proud of that connection and continuing link.

The network does not just go from east to west. The Kemble line, dualled by this Government some 10 years ago as a result of a campaign by me, my hon. Friends the Members for North Wiltshire (James Gray) and for The Cotswolds (Sir Geoffrey Clifton-Brown) and others demonstrates the importance of north-south links as well as the links down to Chippenham and the south of the county. These links make Swindon an important and integral part of the railway network.

The fifth criterion is value for money. As I have already said, there is no need for difficult land acquisitions that cause delay to major projects. There is no need for negotiations with rapacious land agents. This is an opportunity that will provide outstanding value for money for the Government.

The final criterion is public support. The Swindon community enthusiastically backs this bid.

There has been mass activity on social media and from a wide range of major local organisations, including Wiltshire Council and Cotswold District Council, as well as major private and public sector organisations within the local area. Some 30 or 31 major local organisations—I will not list them here—have all signalled their support in writing. That support is backed up by a letter signed today by hon. Members, including my hon. Friend the Member for North Wiltshire, which will be sent immediately to the Secretary of State.

The online survey launched by Swindon Borough Council in March has received nearly 3,000 responses. Just under 95% of those respondents have shown their support for the bid, and there have been some excellent comments of support. One reads:

“My grandparents and great-grandparents worked on the railway. There is a historic passion that has been passed down through the generations”.

Another said:

“Swindon is a dynamic, forward-thinking place with a rich railway heritage”.

One respondent said:

“Swindon is the home of the Great Western Railway. It was Brunel's choice. If it was good enough for him, it is good enough...plain and simple.”

Another respondent wrote that Swindon is:

“The Railway Town! Without the railway, there would be no Swindon.”

Finally, one person wrote:

“What better place to be situated than in the town that was once home to one of the largest railway engineering complexes in the world.”

It employs tens of thousands of people creating the completed article: locomotive, right through to carriage and beyond.

I do not stand here today in dreamy nostalgia but am hard-headed and clear-eyed about the future. Inevitably, Brunel's name will come up many times, but as I have said, it was no accident that the greatest engineer and innovator of his age chose Swindon to be the home, heart and hub of the Great Western Railway 180 years ago. He was not wrong then and this bid is not wrong now. Swindon is the railways, past, present and future, and that future must, I strongly submit, include the headquarters of Great British Railways.

4.16 pm

The Minister of State, Department for Transport (Wendy Morton): It is a privilege and honour to be in Westminster Hall today. I want to start by thanking my right hon. and learned Friend the Member for South Swindon (Sir Robert Buckland) for securing the debate. I note the support from my hon. Friend the Member for North Wiltshire (James Gray), who has also reiterated the point that this particular bid, like so many, comes with the support of many neighbours and colleagues. In this instance, we have my right hon. Friend the Member for Chippenham (Michelle Donelan) and my hon. Friends the Members for North Swindon (Justin Tomlinson), for Devizes (Danny Kruger) and for Salisbury (John Glen). I think they were the ones mentioned.

James Gray: Also, my right hon. Friend the Member for South West Wiltshire (Dr Murrison).

Wendy Morton: I thank my hon. Friend for that correction. Just last month, I was here in Westminster Hall to debate the merits of Derby as a potential location for the Great British Railways headquarters. Indeed, this is the sixth debate on the subject, with the previous ones for Crewe, Darlington, York and Carnforth. Not only has it been heartening to see how hon. Members up and down the country have engaged on this important conversation about the future of our railways, and in doing so been able to highlight and support their bids for their towns and cities, it has also felt like we have had a tour of a little of the heritage of the railways across this country.

As I have said on previous occasions, and at the risk of repeating myself, the railways are close to my heart. Both my paternal grandfathers worked on the railways, one in Wensleydale and the other in County Durham. Not long after I had been appointed as the Minister for rail, I discovered that my dad was born in a railway cottage, so I would like to think I have a little railway

stock and heritage in my blood. I certainly understand the importance of the industry and this country's amazing heritage.

As my right hon. and learned Friend the Member for South Swindon has set out, Swindon has a proud rail heritage. When Great Western Railway transformed a greenfield site into one of the largest railway engineering complexes in the world in the 1840s, Swindon's railway heritage was solidified. Swindon became one of the most important manufacturing centres for the railways through the famous Swindon works, which we heard about this afternoon. Like many other historical railway sites, the influence of the works has not been lost, with it becoming the home of STEAM, the museum of the Great Western Railway, in 2000. From the earliest days of the railways to the modern day, Swindon has played and will continue to play an important role and, no doubt, continue to have an impact on rail innovation.

My mailbox provides great evidence that there are many other towns and cities across the country that have played an important part in our proud rail heritage and I know hon. Members are proud to represent them. The response to the competition has been positive and I am pleased to say that, by the time it closed on 16 March, we had received an amazing 42 applications.

Hon. Members will be well aware that the Williams-Shapps plan for rail, which was published in May 2021, set out the path to a truly passenger-focused railway, underpinned by new contracts that prioritise punctual and reliable services, the rapid delivery of a ticketing revolution with new flexible and convenient tickets, and long-term proposals to build a modern, greener and accessible network. Central to the Williams-Shapps plan for rail is the establishment of the new rail body, Great British Railways, to which my right hon. and learned Friend referred. It will provide a single familiar brand and strong unified leadership right across the network. It will be responsible for delivering better value and flexible fares, and the punctual and reliable services that passengers want and deserve. It will bring ownership of the infrastructure, fares, timetables and network planning under one roof, and will bring today's fragmented railways under a single point of operational accountability. It will ensure the focus is on delivering for passengers and freight customers.

Great British Railways will be a new organisation with a commercial mindset and a strong customer focus. It will have a different culture from that of the current infrastructure owner, Network Rail, and very different incentives from the beginning. It will have responsibility for the whole railway system, with a modest national headquarters and several regional divisions. The national headquarters will be based outside London, and will bring the railway closer to the people and communities it serves, ensuring that skilled jobs and economic benefits are focused beyond the capital, in line with the Government's commitment to levelling up.

The Secretary of State launched the competition for the headquarters on 5 February 2022, and it closed for applications on 16 March. The GBR transition team has analysed the 42 submissions we received from towns and cities across Great Britain against a set of criteria for the national headquarters. As my right hon. and learned Friend said—he has clearly been doing his research, but I would expect nothing less—the criteria are: alignment to levelling-up objectives; connected and

[*Wendy Morton*]

easy to get to; opportunities for GBR; railway heritage and links to the network; value for money; and public support. The GBR transition team will recommend a shortlist of the most suitable locations, which will go forward to a consultative public vote. Ministers will make a final decision on the headquarters' location based on all the information gathered.

I have been so pleased by the number and high quality of the bids we received. I am sure that, wherever we choose, the headquarters will go somewhere truly deserving. We will announce the shortlist early next month, so Members will have to wait just a little longer to find out who has been successful.

Alongside a new national headquarters, GBR will have regional divisions that are responsible and accountable for the railway in local areas, ensuring that decisions about the railway are brought closer to the passengers and communities they serve. GBR will be made up of powerful regional divisions and will be organised in line with the regions established in Network Rail's "Putting passengers first" programme, which reflects how passengers and freight move across the network today.

Cities and regions in England will have greater influence over local ticketing, services and stations through new partnerships between regional divisions and local and regional government. Initial conversations are starting with local stakeholders about how those partnerships can best work together.

The reforms proposed under the Williams-Shapps plan for rail will transform the railways for the better and strengthen and secure them for the next generation. They will make the sector more accountable to taxpayers and the Government. They will provide a bold new offer to passengers and freight customers of punctual and reliable services, simpler tickets, and a modern, green and innovative railway that meets the needs of the nation. Although transformation on that scale cannot

happen overnight, the Government and the sector are committed to ensuring the benefits for passengers and freight customers are brought forward as quickly as possible. We have already sold over 250,000 of our new national flexi season tickets, offering commuters savings as they return to the railways, and to help passengers facing the rising cost of living, our Great British rail sale offered up to 50% off more than 1 million tickets on journeys across Britain. It is the biggest sale of its kind, with over 1.3 million tickets being sold—added together, that is equivalent to 128 million miles of journey, which I am reliably told would get a passenger all the way to the sun and beyond.

The transition from the emergency recovery measures agreements to national rail contracts is also under way, providing more flexible contracts that incentivise operators to deliver for passengers. GBR will be an organisation that works alongside the local communities it serves. Integrated teams within GBR's regional divisions will push forward design and delivery for their partners, supported by new incentives that encourage innovation, partnership and collaboration. It will be designed as, and will have the structure to become, yet another example of this Government's historic commitment to levelling up the regions across the nation. We have often talked about the heritage of the railways; we often talk about the future of the railways, too.

Both the Government and the GBR transition team welcome my right hon. and learned Friend's interest and his advocacy of his city and area, and welcome his participation in the competition for GBR's headquarters, so that together we can deliver the change that is required. We look forward to building this new vision for Britain's railways in collaboration with the sector and communities, and the GBR headquarters is one of many steps we are taking to achieve that.

To conclude, I again thank my right hon. Friend for having secured this afternoon's debate.

Question put and agreed to.

Georgia and the War in Ukraine

4.30 pm

Mr Jonathan Djanogly (Huntingdon) (Con): I beg to move,

That this House has considered Georgia and the war in Ukraine.

During the Easter recess, the all-party parliamentary group on Georgia sent a delegation to Georgia, which I was pleased to be a part of. I declare my related interest as set out in the Register of Members' Financial Interests. I am also pleased to have the opportunity to discuss issues that arose from the visit and also to thank the Speaker and MPs in Georgia, the Georgian ambassador to London, Sophie Katsarava, whom we are honoured to have here with us this afternoon, and also our ambassador to Tbilisi, Mark Clayton, all of whom made it a very useful, fascinating visit. We had meetings with the Prime Minister, many other Ministers, Select Committee Chairs, Opposition Members, and civil society activists.

I will start with a general observation: I doubt that UK-Georgia relations have ever been as good as they are at the current time. Under the Wardrop dialogue, bilateral discussions have improved relations in the diplomatic and ministerial spheres. I am very pleased to report that parliamentary-level relations are also excellent. During our visit we saw great potential for improved economic ties, with our post-Brexit free trade agreement in place, and also cultural ties—for instance, going with my hon. Friend the Member for Rugby (Mark Pawsey) to visit the Georgian rugby headquarters. They are crazy for the sport, by the way.

There is no doubt that Georgia is a country that faces west and wants to be part of the wider family of free and democratic countries with western values and economies. It is a young democracy and has a somewhat politically polarised society, but united, with huge polling majorities in their wish for membership of the European Union and also NATO. In fact, both aims have now been written into the constitution. As with Ukraine, a formal EU membership application has been made. That builds on Georgia's existing EU accession agreement and its three-month EU visa, which it entered into at roughly the same time as Ukraine.

In practice, the EU often looks at developments with those two countries together. Russia, before its 24 February wider invasion of Ukraine, occupied roughly 20% of both countries and in practice runs the puppet regimes that it props up in both from the same Moscow office. Whenever President Putin warns against Ukraine membership of the EU and NATO, he usually simultaneously warns against Georgian membership. We can debate the rights and wrongs of the EU and Russia lumping Ukraine and Georgia together, but in practice we need to acknowledge that it happens to some degree.

As far as NATO is concerned, both Ukraine and Georgia have been forming closer links over recent years. Georgia, for instance, provided significant detachment operations in Afghanistan. Our delegation took the opportunity to visit the NATO-Georgia joint training evaluation centre, which was set up after the 2014 NATO summit in Wales. Georgia's troops are trained in NATO tactics by NATO troops and, clearly, the ground is being set for ever-closer NATO compatibility, whatever the speed of Georgia's membership application may be.

Of course, the threat presented by Russia hung over much of our delegation's meetings in one way or another. It is important to realise that the intransigence, brutality and violence expressed by Russia under Putin did not start with Ukraine in 2014. Rather, it started with the Russian invasion of Georgia in 2008. As a result, to this day, 20% of Georgia—Abkhazia and South Ossetia—is occupied by Russian troops, and Georgia supports some 250,000 internally displaced persons from those regions.

The pattern of Russia's use of disinformation and cyber-warfare and its escalating use of agents provocateurs, special forces and devastating slash and burn techniques have consistently recurred where Russia has meddled. So we should be horrified and disgusted by Russian actions in Ukraine, but we should not be surprised. As with the occupied Donbas, post occupation, Russia puts virtually no investment into these places, other than garrisons. They are effectively left to rot, in a kind of limbo. Sokhumi, the capital of Abkhazia and once the pearl of the Black sea, is now an empty ghost town of tumbleweed. Mariupol—need I say more? This is Russia's plan: to have weak, corrupt and malleable puppet states, that it preferably does not have to pay for, to act as buffers on its borders.

In the case of Georgia, every few weeks Russia stages some farcical provocation action in the occupied territories of Abkhazia and South Ossetia, such as moving the barbed wire fence forward a few metres, or closing crossing points, or arresting shepherds rounding up their sheep—always to stir the pot and maintain tension and leverage. The United States calls these occupied territories, "occupied territories". Can the Minister explain why the UK Government still refuse to do so?

We should recall that the year 2008 was a difficult time, with the global financial crisis. Standing up to Putin was not the No. 1 priority in the west. The west, led by the US, refused to intervene on behalf of Georgia, while in the UK Russian investment was being actively encouraged as one way of propping up our failing economy and banks. In 2008, Putin received his first of numerous free passes from the west. Sensing the west's disinterest and lack of cohesion, onward he marched to Crimea and Donbas, not to mention with the stamping out of democracy in those countries directly in Russia's ambit such as Chechnya, Belarus and Kazakhstan. Each time, more or less, he received a free pass.

During this time, the UK failed to arm Ukraine and Georgia. Yes, we gave army training and other aid, but not guns. Of course, the UK did more than most other countries and that should be recognised, as should our very significant contribution of weaponry after the start of the recent war, but the question does need to be asked: would Putin have attacked if Ukraine had received the means to fight back then, as it has now? Would so many people—some 8,000 civilians so far—have been killed? Would such physical and cultural disruption as we have seen have happened?

Both Ukraine and Georgia have been receiving high-level assistance from the UK to counter cyber-warfare. We must not forget that the prediction in the first days of the February war was that Russia would wipe out Ukraine's infrastructure through the use of cyber-attacks. That has not happened. Frequent Russian cyber-attacks on Georgia have also failed. We gave help on cyber before the war started and it worked. Why did we not do so with weapons? Surely, we need to learn the lesson here:

[*Mr Jonathan Djanogly*]

prevention is better than cure. The US has provided the Javelin anti-tank system to Georgia, but we have not sent arms. Let us not make the same mistake again. Let us give Georgia the weapons they need.

Georgian public opinion is pro Ukraine's fight for survival and liberty to an overwhelming extent. In Tbilisi, every third house I saw flew the Ukrainian flag and there were huge rallies held in support. I understand that hundreds of Georgians have unofficially volunteered to fight in Ukraine. The Georgian Government have been very vocal in their support for Ukraine. They have been supporting anti-Russian motions at the UN. They have sent a very significant amount of non-military aid to Ukraine and are hosting some 25,000 Ukrainian refugees. Georgia has not adopted the western sanctions directly, although it is applying them indirectly, for example in financial services.

Georgian opposition parties and Ukraine have been demanding a tougher position on sanctions and military intervention. Against this is Georgia's proximity to and partial occupation by Russia, with a population of only 3.5 million and without the cover of being a NATO member. The pain of being left alone against Russia in 2008 remains raw with the Georgian governing party and so the Government tread carefully with Russia. This approach has resulted in varying degrees of friction with Ukraine.

The recent arrival of some 30,000 Russians to Georgia is contentious. They tend to be young, middle-class Russians who do not want to be involved with the war. They can live in Georgia for a year and set up businesses there. The practical if not official position taken by the Georgian Government is that this is a welcome benefit to Georgia of the Russian brain drain. Opposition parties tend to be less charitable towards these Russians and there can be tension in public when Russian is heard spoken. Given that huge numbers of Russians are fleeing—there are another 200,000 in Istanbul alone—I would be interested to hear the Minister's view on them and whether we know how many are in the UK.

It is also important to recognise that the strategic issues for the UK and the west go beyond Ukraine and into the wider Black sea region. Possible Ukrainian neutrality—subject to a referendum—was apparently mooted by President Zelensky at the Istanbul peace talks. A heavily-armed Swiss-type neutrality might work for a large and very populated country such as Ukraine, but that is not the case for Georgia, which is small geographically and has a small population. Indeed, the ground taken by Russia on the first day of its February offensive was more than exists in the whole of Georgia. Georgia's long-term security is considered by the Georgians to be effectively bound up in joining the NATO umbrella, not in neutrality. If Ukraine were to go neutral, Russia's attention would be drawn to Georgia—possibly with disastrous implications for Georgian security.

Although the UK Government's security documents seem to be slowly coming around to recognising the importance of the wider Black sea strategic balance, the 2021 integrated review, "Global Britain in a competitive age", mentions the Black sea only once. Britain conducts £21 billion-worth of bilateral trade in that region. That makes up 3% of our exports and it is significantly expanding. I believe that we still have the largest Navy

in Europe. In April 2021, HMS Defender was deployed to challenge illegal Russian claims around Crimea, and was very much welcomed in Ukraine and Georgia. In the current war, we have started to provide Ukraine with our anti-ship missiles.

Let us assume that Ukraine prevails in this war. How, Minister, are we going to get trade going again in the Black sea region? Will we help to get rid of the mines? Will we work with Ukraine, with Georgia and, importantly, with Turkey, to keep the lines open and uphold maritime law? What kind of post-war planning is going on?

Let me state the obvious. The Georgians, like the Ukrainians, will always tell people that they do not want war and they do not want instability in their region. They want recognition of their sovereignty and the democratic freedom to embed themselves in the European family, encourage free trade and improve the economic lot of their people. The sacrifices and suffering of the Ukrainian people since 2014—as for the Georgians since 2008—have been immense and totally unjustified. I hope that our Ministers are looking at the clear pattern established by Russia and are learning the lessons of our earlier years of relative inaction, so that we can stop the rot from Russia spreading further.

4.42 pm

Jessica Morden (Newport East) (Lab): I congratulate the hon. Member for Huntingdon (Mr Djanogly) on securing the debate, on his excellent speech and on his enthusiastic chairing of the all-party parliamentary group on Georgia. I refer Members to my entry in the Register of Members' Financial Interests as I was also on the delegation that visited Georgia recently. We all learned a lot from that visit and would like to pass on our thanks to the Georgian ambassador in London for all the work that was put into it. I wholeheartedly agree with the hon. Member for Huntingdon that the excellent parliamentary relations between Georgia and our Parliament were improved as a result of that visit.

I also point out that the links between Wales and Georgia remain strong. That is evidenced not just in our shared national love of rugby, but through the ongoing success of the really active Newport-Kutaisi Twinning Association, which has maintained the bond between Newport and Kutaisi for over 33 years—many deep and enduring friendships have resulted from it. The twinning association owes a great deal to the work of individuals such as the late Caroline McLachlan from Newport—a former chair of the association who was deeply involved with the twinning from the start—and her very dear friend, Professor Madonna Megrelishvili, the former chair of the sister Kutaisi Newport International Association, who sadly passed away last year.

As the hon. Member said, few countries will have watched the horrific scenes that have unfolded in Ukraine over recent months more intently than Georgia. Like Ukraine, Georgia has suffered the consequences of Russian aggression before, as has been laid out. The brutal 2008 assault on Georgia that claimed 700 lives and displaced thousands of Georgians was, in many ways, a warning bell that the west ignored—emboldening the Kremlin ahead of the illegal annexation of Crimea in 2014.

Much like Ukraine, Georgia also incorporates two breakaway regions with close ties to Putin's regime, Abkhazia and South Ossetia—the latter of which has declared its intention to hold a referendum on joining

Russia this July. The presence of Russian troops in Georgian territory ensures that tensions remain high. The people of Georgia live in fear that the country's territorial integrity and sovereignty will be further impinged on by an expansionist Kremlin. In an interview with CNN last week, one Georgian diplomat expressed his concern that Putin is sufficiently unpredictable that he may invade Georgia at any time, for any reason—or for no real reason at all—regardless of the outcome of the war in Ukraine. That diplomat is certainly not alone in his concern.

In that context, the rationale for Georgia applying for NATO membership is understandable. Georgia has already developed a strong working relationship with NATO. It contributed troops to the Kosovo force, and was one of the largest non-NATO troop contributors to the International Security Assistance Force in Afghanistan. As a result of the 2014 NATO-Wales summit, the substantial NATO-Georgia package was signed to strengthen Georgia's defence capabilities in line with NATO standards. During the recent APPG visit, it was really interesting to see the NATO-Georgia training and evaluation centre at work, not least because it was a product of the package agreed at the NATO summit in Newport. There we are: I got Newport in there.

Georgia has participated in Operation Active Endeavour—the counterterrorist maritime surveillance operation in the Mediterranean sea—and has engaged closely with the NATO Parliamentary Assembly in hosting the Georgia-NATO interparliamentary council. That was, at one time, chaired by my very good friend Madeleine Moon, the former Member for Bridgend, whose insight on geopolitics and defence issues is very much missed in this place. She visited Georgia, and the same border with South Ossetia that we visited.

Georgia's ambition to join NATO is clearly not just a matter of military assurance. Georgia and other aspirant NATO countries see the prospective membership of the alliance—and, indeed, the EU—as a vital signpost of a journey towards democratic governance, the rule of law and an embrace of human rights. None of those values chime with Vladimir Putin's regime. Russia stands in the way of freedom of choice for the people of Georgia and their Government. The fear is that if they move too far towards NATO or the EU, then Russia will invade. The truth is that the Georgians have been there before, and they have no desire to return. The question facing Georgia is how to meet its population's desire to strengthen its democratic foundations without generating Russian aggression.

Our Government, working with international counterparts, should work to strengthen Georgian resilience and help prepare the country for any future aggression. The UK should also firmly confirm its support for Georgian sovereignty. Closer to home, our Government must finally get serious about cleaning up the dirty money that props up Russia and other authoritarian regimes. They have not taken enough action over the last decade, and failed to respond swiftly when the Intelligence and Security Committee warned about London being used as a laundromat for money tied to the Putin regime. That cannot be allowed to continue. The Government should follow Labour's call for urgent reform of Companies House, so that it can crack down on the shell companies hiding cash. Sanctioning oligarchs will be effective only if we know where their wealth is hidden.

I want to finish by reiterating the strong support for the people of Ukraine that exists in Newport East and across the country. Although we may be on different sides if they are Wales's opponents in the World cup finals play-off in Cardiff next month, we are all on the same side when standing with the Ukrainians in the face of Russia's actions. The courage and resilience of the Ukrainian people in the face of such barbarism and untold human suffering will never be forgotten. Our Government must continue to support Ukraine and its people, including through the swift and comprehensive disbursement of humanitarian aid.

4.49 pm

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): It is a great pleasure to serve under your chairmanship, Sir Mark. I pay great tribute to my hon. Friend the Member for Huntingdon (Mr Djanogly), not only for the informed way he spoke, but for leading a successful all-party delegation to Georgia, as declared in my entry in the Register of Members' Financial Interests.

We found that the Georgian people are not only extremely hospitable, but very pro-European. In 2020, the chairman of the ruling Georgian Dream party announced plans for Georgia effectively to apply for EU membership in 2024, but the geopolitical situation changed. Russia invaded Ukraine on 24 February this year, and Georgia responded by expediting a full application and submitting it on 3 March for EU consideration.

This month, further documentation was submitted, with the Georgian Government's answers to a 2,600-point EU questionnaire on the country's political, economic and institutional readiness to begin the process of joining the EU bloc. A response from the EU is expected in the next couple of months. During our visit to Georgia, as others have said, we visited a training and evaluation centre organised by NATO, where the level of military co-operation with Georgia is increasing. The Georgians seemed incredibly grateful to us as British Members of Parliament for visiting their country and showing our support.

Georgia is at a crossroads, linking Europe and Asia. It has, over the centuries, been partially or completely conquered by many different powers, including the Persian, Ottoman, Mongol and Russian empires. They have all left their mark on the country, culturally enriching it. It is an incredibly beautiful country, with the Caucasus bordering the north, the Black sea to the west, and the wine regions of Kakheti to the east.

One reason we were invited was to assess the current situation with Russia, which, as others have said, occupies 20% of Georgia's internationally recognised territory. Unfortunately, as the Georgians reminded us many times during our visit, that occupation, which began in 2008, happened with hardly any protest from the rest of the world. Many would argue that that event, combined with Russia's annexation of Crimea in 2014, led to Putin's boldness in Ukraine today. We visited South Ossetia, which is one of the two occupied areas, the other being Abkhazia. Standing on the line of control from Russian occupation, peering through binoculars into the mist and seeing no life at all—most, except some of the elderly, have been driven out—was a very eerie feeling.

[*Sir Geoffrey Clifton-Brown*]

The only parallel I can draw is with standing on the demilitarised zone between North and South Korea, again peering into the mist through binoculars into the Kaesong joint industrial centre. The only difference in South Ossetia is that the Russians have purpose-built military forts about every 7 kilometres along the border. There is a direct link road through the Caucasus into the former Republic of North Ossetia, which has also been annexed by Russia.

The democracy of Georgia, after years of occupation by the Soviet Union, is nowhere near as well embedded as ours. Although there is a free press, the majority of the press and media usually toe the Government line. In the Parliament, which we visited, the Government exercise control and the opposition do not have anything like the opportunities for criticism in holding the Government to account that we do. There were allegations, though we were provided with no proof, that the judiciary tends to find in the Government's favour in the most serious cases.

Having said all that, and to put it into perspective, it is considerable how far the country has come since it was occupied by the Soviet Union. There are free elections, and the former President Mikheil Saakashvili admitted defeat in the parliamentary elections in 2012, allowing the first peaceful transition of power since Georgian independence. So, it is possible for people to exercise democratic power. For instance, demonstrations outside Parliament are a common feature, and they are allowed to go ahead unhindered by the Government.

The war in Ukraine is worrying on a number of fronts, because of the human tragedies that have occurred, with the prospect of future trials for war crimes and even genocide. It is essential that we keep up all the pressure against President Putin through sanctions, disruption of the Russian banking system, trade, continual resupply of lethal equipment to the Ukrainian military and, finally, reinforcing the generous British offer to take in Ukrainians affected by war.

No one yet knows how the war will end. It may even become a prolonged low-intensity war. One thing is certain: the military and political landscape of Europe has changed. That is what the Georgians hope—that somehow, in future negotiations, Russians can be pressured to leave the occupied territories, and that the people and families who lived there for so many generations can return to their homes.

As a farmer, I hope that the west will take control of the supply routes through the Black sea, allowing grain to come out of Ukraine and into some of the poorest countries in the world that are most in need of it. Otherwise, various things will happen. Obviously, the people in those countries will suffer hugely. The Ukrainians will also suffer further, because their grain stores are currently full and, unless they can get the grain out of those stores, they will not be able to put into them whatever new harvest they have to prepare for next year.

I left Georgia with a feeling of hope. The Georgians are a wonderful, hard-working and hospitable people who have endured so much over the years—not least because Stalin was born in the country and it was the location of some of the most brutal purges. The Georgians are determined to build it into a prosperous, modern and democratic country. Historically located at the

crossroads of Europe and Asia, right at the heart of the old silk route between east and west, they have huge opportunities to trade.

In closing, I pay tribute to the Georgian ambassador to London, who went to huge trouble to organise our trip. We learned a great deal on that trip, and I hope that relationships between Georgia and this country have been, and will continue to be, improved by similar exchanges of views.

4.57 pm

Alyn Smith (Stirling) (SNP): It is a pleasure to see you in the Chair, Sir Mark. I commence by warmly praising the hon. Member for Huntingdon (Mr Djanogly) for securing this debate, and I congratulate him on an excellent speech. We often say that, but it is nice to mean it today; he gave a genuinely balanced introduction to the subject. It is also a pleasure to take stock of the many contributions about where Georgia is at present, where it has come from and the wider pattern of behaviour from the Kremlin and the Russian state.

I was particularly struck by the hon. Member's introductory comment that there is no doubt that Georgia faces west. That was my very strong impression on my first visit to Georgia, back in 2007. Georgia aspires to membership of the international order and to be a western country. It has its own legacy dealing with the toxic impact of empire, after many empires have left legacies, good and bad, within its territory. The Georgians are a fantastic people. They are very hospitable, and they have some of the best wine I have ever tasted. They also have some of the most beautiful scenery—for a Scotsman to say that is really a compliment indeed. It is a wonderful country that should be doing so much better; without outside interference, I suspect it would be.

I always strive for consensus, so let us all agree that Georgia has a right to its independence and a right to live without fear of its neighbour. I hope we can all unite on that point. I hope we can also unite on the fact that it has the right to choose its own associations and to apply for NATO and EU membership. There is a clear demos within Georgia that wants western adhesion and co-operation to rebalance its history and the interference that it is suffering. I am glad there is widespread support around the House for that today.

During my time at the European Parliament, I was always strongly in favour of a wider European Union. I was strongly in favour of the EU accession process as a huge impetus for peaceful democratic reform, transparency and financial reform within applicant countries. I am still strongly of that view today, especially for Georgia and its neighbours. There could be a huge advantage in the UK being a voice—albeit from outside, because we are not going to change geography—for that accession and the wider European project.

Sadly, the Georgians are victims of a wider pattern of behaviour; the playbook from which the Kremlin is operating is pretty clear. I endorse the comment, made by Members on both sides of the House, that we sold the pass with the annexation of Crimea and with the initial invasion of Georgia. Because the international community did not provide a unified front and did not act on the facts, there was extreme moral hazard, and that is why we are in the mess that we are today with Ukraine.

We see the Kremlin's activities in Ukraine and Georgia, but we also see moves in Bosnia and elsewhere in the Balkans. Sadly, Russian state and non-state actors interfere in the internal politics of many other countries, always with the aim to destabilise, and to create and foment division. I strongly echo the calls made by the hon. Member for Newport East (Jessica Morden) for stronger action on dirty Russian cash in our own domestic discourse. We have had many discussions about that in relation to Ukraine, but I suggest it is a good thing to do for a lot of reasons beyond what is happening in Ukraine. We see far too much dark money and money laundering in UK politics and property, and we need much stronger action on it.

A couple of points have been made that I hope the Minister, for whom I have great respect, will address. Surely, we need to be much clearer on our definition of the territories occupied by Russia in Georgia, and the consequences of that continued occupation. Work is going on to support to the Georgian authorities against disinformation by Russian and non-state actors, but I think we need to do a lot more. That applies to Bosnia and other places as much as it does to Georgia, but I think in Georgia there is a need for more.

My party's position on the integrated review is fairly clear. The Scottish National party does not believe that an Indo-Pacific tilt makes a lot of sense for Scotland. I do not think it makes a lot of sense for the UK, either. I can understand why the US is doing it, but an Indo-Pacific tilt has been shown to be a toothless tiger in international affairs with the invasion of Ukraine. We submitted a lot of constructive suggestions—we do try to be constructive—to the integrated review. I reiterate that it is badly out of date and needs to be reassessed wholesale in the light of the situation in our European neighbourhood. I am glad that there has been wide agreement on that today, and I again commend the hon. Member for Huntingdon for securing this debate.

5.2 pm

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): It is a pleasure, as always, to serve under your chairmanship, Sir Mark. I thank the hon. Member for Huntingdon (Mr Djanogly) for securing this crucial debate at a critical time for Georgia and Ukraine, and I thank everyone for making excellent contributions.

Three weeks ago, I was proud to attend the celebrations for the 30th anniversary of the re-establishment of diplomatic relations between Georgia and the United Kingdom. I have been honoured today, and on many occasions recently, to speak for the Labour Front Bench in defence of the people of Ukraine, who continue to endure Russia's barbaric invasion with heroism and great bravery. As has been mentioned, there are very warm relations between Georgia and the UK, but particularly with Wales. I have enjoyed some excellent conversations with the ambassador here in London in recent months since taking this position.

I reiterate Labour's resolute commitment not only to NATO, but more broadly to defending the values of peace, democracy and liberty, which are being courageously protected in Ukraine and which I know are the aspirations of the people of Georgia, too. That has been demonstrated in their great sacrifice and huge contribution alongside us all in Afghanistan, which my hon. Friend the Member for Newport East (Jessica Morden) referred to. That must be remembered, and the sacrifice acknowledged.

Our support for the territorial integrity and sovereignty of Georgia is as solid as it is for Ukraine. There are marked parallels between the two countries' experience in recent years at the hands of Russia, and that has made the UK's diplomatic solidarity, support and engagement with all the countries in Russia's near orbit all the more essential.

When it comes to the need for unity across the west in the face of Putin's malevolent and clear intent to re-establish the wider territorial bounds, as he sees them, of the Soviet Union, or some sort of historical claimed area of influence, the alarm has been sounding for well over a decade. Russia's war against Georgia in 2008 was dubbed by many the first European war of the 21st century. That was a haunting premonition that more would follow if that illegal and unjustified belligerence went unchecked and if other countries dared to seek their own paths and destinies, as they should be able to do. It must now be absolutely clear to all of us that the collective western reaction to those events in 2008 provided Putin with one of the green lights that he sought. We are monitoring his character and intentions intently today, but his playbook—as the hon. Member for Stirling (Alyn Smith), speaking for the SNP, said—has been implemented time and again. As Russia invaded Georgia illegally in 2008, the world largely watched on in silence. Hundreds of people died in that illegal annexation of South Ossetia and Abkhazia. We know how this works: Putin and his cronies heighten tensions, exploit and enable so-called secessionist movements, sow discord, spread misinformation, provoke chaos and capitalise on the ensuing turmoil.

Tim Loughton (East Worthing and Shoreham) (Con): I, too, should declare an interest as one of the recent visitors to Georgia—and a great and enlightening visit it was as well. During our trip, I spent some time in the main museum in Tbilisi, where there was an exhibition about the Soviet era. We often forget that Georgia has long-standing experience of the naked violence and aggression that comes from across the Russian border. While it enjoyed a few years of independence after the first world war and the break-up of the Russian and Ottoman empires, it was brutally reinvaded by the Soviets and people were mercilessly murdered in cold blood, so this is not the first time that Georgia has experienced what can come from its neighbour across the border. We often forget the lessons of history there.

Stephen Doughty: The hon. Gentleman is absolutely right to point to that history. It is of course the history of many others in the near orbit of Russia, including in the Baltics. Now, yet again, we see a false, so-called referendum being used next month to attempt to formally bring one of those illegally occupied regions into union with Putin's Russia. The ceasefire agreed back in 2008 was undoubtedly tipped in favour of Putin and, in the weeks and months that followed, I am sorry to say, the west went back to a business-as-usual approach in its dealings with Moscow. We failed to implement tough enough sanctions or to punish such egregious behaviour. Indeed, the US led the way in "resetting" relations with the Kremlin, and continued to treat Russia as a wayward partner rather than a belligerent adversary.

We cannot continue to make these mistakes if we are to end this diabolical trend of interference and invasion. And, of course, let us not forget the human cost.

[*Stephen Doughty*]

We saw the persecution of ethnic Georgians in Russia, South Ossetia and Abkhazia, the indiscriminate killing of civilians and the deliberate targeting of urban centres, the waging of a concerted information war to skew and misrepresent the actions of the invaders, and the displacement of 200,000 people. Does any of that sound eerily familiar? It is exactly what we are seeing yet again, so the warning signs were there and it saddens me greatly that we ignored them. We cannot afford to do that again and again.

Rightly, since 2008, Tbilisi, under different Governments, has pushed strongly for closer links with the EU and NATO, to attain the diplomatic and military assurances that it would be protected should it face such threats again. Obviously, membership of either organisation is unlikely in the immediate future, despite the clear attitudes of the population, which have rightly been referenced, and the passion there for close alliance with us. We need to do all we can to facilitate that dialogue and direction.

Georgia has been forced into a very difficult position when it comes to the war in Ukraine, but, despite the expected tension between Kyiv and Tbilisi, I was encouraged to see Georgia's support for the 2 March UN General Assembly resolution condemning Russia's illegal attack; support for Russia's expulsion from the Council of Europe; and backing for the International Criminal Court probe into war crimes against the people of Ukraine. Those are encouraging signals, and we should absolutely recognise their significance. I certainly hope that Georgia can go further, but that requires us also to get involved and to proactively and consistently support all those who face these very difficult choices, particularly in the near neighbourhood of Putin's Russia, and who need our support economically, diplomatically and in security terms.

I read the article by the hon. Member for Huntingdon that gave us a preview of his speech. It was a very interesting and important article. Fundamentally, if Georgia is to have the confidence to definitively support Ukraine's resistance, and if the international community is to speak with one voice, clear assurances must come from countries such as the United Kingdom and others of support in multiple domains. If we want to ensure a network of liberty, democracy and peace, we have to invest in it urgently. With that, I have three questions, in conclusion, for the Minister. Can the Minister say what additional measures the UK is taking now to support Georgia diplomatically, economically and, crucially, in terms of security guarantees?

The focus has rightly been on Moldova in recent days, given the imminent threat that country faces. However, we know that the threat can be anywhere in the near neighbourhood of Russia at any time, as seen in Putin's actions. What is our medium and long-term strategy for the likes of Georgia or, indeed, as mentioned, the western Balkans? What are we doing to reopen the Black sea fully? It cannot be right that Russia alone is able to dominate that crucial maritime domain.

We have heard about the impact on grain and trade, which affects Georgia and other countries bordering the Black sea. We have seen the despicable alleged theft of Ukrainian grain by the Russians in recent days, which has much wider consequences for the rest of the world, as rightly identified by the hon. Members for Huntingdon

and for The Cotswolds (Sir Geoffrey Clifton-Brown). What are we doing to block the sale of that illegally seized grain, get the Black sea back open for trade, and ensure that Ukraine and others, including Georgia, can access their trade routes? Finally, what are we doing to build on and enhance the historic friendships and bilateral trade between the UK and Georgia? We have heard so much about that positive relationship. It is clear, in all the relationships that many of us have enjoyed, that the appetite is there from the UK and Georgia, and it is needed more than ever in these difficult times.

Sir Geoffrey Clifton-Brown: Will the hon. Gentleman give way?

Stephen Doughty: I will, just before I say my last words.

Sir Geoffrey Clifton-Brown: The hon. Gentleman has not quite been saved by the bell. A point that was put to us several times throughout our visit was that one of the things that could facilitate greater trade between the United Kingdom and Georgia would be to establish a direct air link between the two countries. In intervening on the hon. Gentleman, may I press the Minister on what she can do to help in that respect?

Stephen Doughty: The hon. Gentleman puts an important question. I hope the Minister can address that point, because we must have those links open—not only for trade, but for relationships based on culture and friendship that we know are there—to enable people to travel easily between the UK and Georgia. I hope the Minister has something to say about that.

Today we have covered two important countries and the implications of Russia's actions towards both. The United Kingdom has to stand united and resolute with our allies and friends around the world, be that Ukraine or Georgia.

5.12 pm

The Minister for Asia and the Middle East (Amanda Milling): It is a real pleasure to serve under your chairmanship, Sir Mark. I congratulate my hon. Friend the Member for Huntingdon (Mr Djanogly) on securing this important debate. We have some real experts on Georgia, and it is marvellous to see the ambassador with us in the Public Gallery. I also thank my hon. Friend for chairing the all-party parliamentary group on Georgia, and welcome the recent visit about which we have heard from several hon. Members.

The Minister for Europe and North America, my right hon. Friend the Member for Braintree (James Cleverly), would have liked to have taken part in this debate, but he is currently travelling on ministerial duties. It is therefore my pleasure to respond on behalf of the Government, and I am grateful to hon. Members for their contributions and the points raised.

The United Kingdom fully supports Georgia's sovereignty, territorial integrity and Euro-Atlantic aspirations. Diplomatic relations between our countries are the strongest they have been since they resumed 30 years ago. As my hon. Friend the Member for Huntingdon and others have mentioned, we enjoy excellent political, parliamentary, security and economic co-operation. Our landmark agreement on strategic

partnership and co-operation was the first the UK concluded with an eastern European country after leaving the European Union. The agreement, which sets out our unwavering support for Georgia, and our joint commitment to peace and security, also provides the framework for deepening our economic and business ties. It is testament to the strong bonds between us.

We continue to stand shoulder to shoulder in the face of Russia's illegal, unprovoked invasion of Ukraine, which has had such dire consequences for the Black sea region. Russian aggression against its neighbours is nothing new, but the scale, speed and brazenness of Putin's assault on Ukraine has underlined the threat that countries such as Georgia continue to face. On the first day of the invasion, Russia took territory greater than the size of Georgia. It is of course true that heroic Ukrainian resistance has driven Russian forces back from Kyiv, but Ukrainian suffering under the Russian attack and occupation has been catastrophic. Russia's invasion of Ukraine has therefore confirmed Georgia's view that it will never be safe until it joins the EU and NATO, as Members have mentioned.

Of course, Georgia does not need to look at Ukraine to understand Russian aggression. For decades, Russia has tried to exert control over Georgia and the region by fuelling conflict and division. Following the 2008 war, which resulted in Russia's recognition of the Georgian breakaway regions of Abkhazia and South Ossetia, Georgia has faced relentless pressure and hybrid attacks from Russia. Today, roughly 20% of Georgia's territory is under Russian control, with Russian troops just 30 minutes from Tbilisi. In parallel, Russia deploys trade restrictions and other forms of economic and political pressure to try to break the will of the people of Georgia. Despite all that, Georgia has bravely stood with the people of Ukraine in their hour of need.

As the Minister for Europe highlighted during his call with the Georgian Foreign Minister on 28 February, the UK remains a steadfast supporter of Georgia's sovereignty, territorial integrity and Euro-Atlantic aspirations. The UK will also continue to use our influential role in the Council of Europe, the Organisation for Security and Co-operation in Europe and the UN to call on Russia to withdraw its troops from Abkhazia and South Ossetia. Like the overwhelming majority of the international community, the UK does not recognise those breakaway regions.

As colleagues have asked questions in relation to the breakaway territories, it is worth clarifying that the UK does not refer to them as "occupied" due to the wide-ranging implications that would have for UK policy. Any acknowledgment of occupation would provide additional powers, in law, to the Russian Federation. The UK's position is consistent with the position of the UN, OSCE and EU as conflict mediators, with NATO institutionally, and with most international partners.

Russia's support for the breakaway regions' so-called independence demonstrates contempt for the very foundations of international relations—sovereignty, territorial integrity, and the right of nations to decide their own future, free from aggression and fear of invasion. We condemn the recent announcement by the de facto authorities in South Ossetia of their intent to carry out an illegal referendum on membership of the Russian Federation. We also consistently call on the Russian Federation to fulfil its clear obligations under

the EU-mediated ceasefire agreement of 2008. It must withdraw its forces to pre-conflict positions and meet its other commitments to dialogue under the ceasefire agreement.

Despite Russia's constant threats and interference, the Georgian people have bravely chosen the path towards Euro-Atlantic integration, with more than 70% of the population in favour. The UK remains steadfast in our support for Georgia's aspirations, including its recent EU membership application. EU membership is a sovereign choice for Georgia and EU member states. This Government support that choice and strongly believe that no third country should have a veto over Georgia's decision. We also believe that further integration with the EU and NATO will deliver greater prosperity and security for Georgia and for Europe.

The UK will continue to support Georgia in its implementation of the EU association agreement and its NATO commitments. We are leading calls in NATO to step up practical and political support to Georgia as a matter of urgency. We continue to encourage all allies to deliver on commitments made under the substantial NATO-Georgia package, including assisting Georgia in the implementation of reforms and enhancing resilience, accountability and transparency. During the April NATO Foreign Ministers meeting, the Foreign Secretary agreed a package of additional support to Georgia, boosting work to build resilience and defence capacity. We will continue to develop this with the Georgian Government ahead of the Madrid NATO leaders summit in June.

Colleagues mentioned security. We are supporting Georgia in cyber-space and at sea. On cyber, along with international partners, we are supporting Georgia's cyber-security strategy and wider work in this realm. In these times of hybrid warfare, Georgia must have the strongest possible defences. When it comes to security in the Black sea, the UK routinely provided a maritime presence before the recent Russian invasion of Ukraine. That includes, as colleagues have mentioned, HMS Defender's visits last June to Odesa in Ukraine and Batumi in Georgia. We are keen to re-establish that presence and to expand co-ordination among international allies.

We are encouraging Georgia to accelerate democratic reforms and overcome polarisation in the political arena, as that is crucial to achieving its ambition of greater Euro-Atlantic integration. Genuine, far-reaching reforms will anchor Georgia's democracy against those who would seek to undermine it.

Let me conclude by reaffirming the UK's unwavering support for Georgia. Drawing on our strong and enduring relationship, and with our international partners, we will continue to help Georgia boost its security, strengthen its democratic institutions and achieve its Euro-Atlantic goals.

5.22 pm

Mr Djanogly: This is a good and appropriate debate to have had at the current time. Let me first thank the Back-Bench contributions of my fellow delegation members: the hon. Member for Newport East (Jessica Morden) for bringing in the local community aspect, which is important and something we should be building on; my hon. Friend the Member for The Cotswolds (Sir Geoffrey Clifton-Brown) for his astute observations from his visit and his assessment of the political situation; and my

[*Mr Djanogly*]

hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), who discussed the historical context, which is always appropriate in that part of the world.

It would be fair to say that there was a clear degree of cohesiveness and unanimity from the Front Benches of the Government, Labour and the SNP, and that has been consistently shown in this place, within the main Chamber and outside it. Given the precarious nature of the part of the world we have been discussing, it has been good for MPs and the Government to state their various positions, and it was probably time that we did that.

Rightly, there is overwhelming support in this place for Ukraine and its people. The message today is that issues arising out of the Russia-Ukraine war—supporting

democratic values, Black sea security, addressing Russian intransigence, addressing the need to secure grain supplies, and many others mentioned by hon. Members—are important for many countries beyond Ukraine. Britain's strategic interests require us to stand back and look at the wider picture coming out of the Russia-Ukraine war, and Georgia should and must form part of that picture.

Question put and agreed to.

Resolved,

That this House has considered Georgia and the war in Ukraine.

5.24 pm

Sitting adjourned.

Written Statements

Tuesday 24 May 2022

DIGITAL, CULTURE, MEDIA AND SPORT

Wider Implementation of Licensed Standing Areas in Football Stadiums: “Minded To” Decision

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Nigel Huddleston): On 1 January 2022, the Department for Digital, Culture, Media and Sport and the Sports Grounds Safety Authority (SGSA) successfully launched the “Early Adopter Programme” for licensed standing in seated areas at football stadiums, with the full backing of Parliament and key footballing stakeholders. This represented a significant step towards fulfilling the Government’s manifesto commitment

“to work with fans and clubs towards introducing licensed standing in seated areas at football grounds”.

In a written ministerial statement to Parliament, made on 8 November 2021, I confirmed that the “Early Adopter Programme” was intended to enable the Government to evaluate how successful licensed standing areas could be as a strategy to manage persistent standing. The “Early Adopter Programme” was implemented during the second half of the 2021-22 football season and has been subject to a formal independent evaluation. The evaluation has included a series of match day visits to observe supporter behaviour and the implementation of safety management practices as well as interviews with a range of staff involved in managing safety at each club such as SGSA inspectors, section supervisors responsible for the licensed standing areas, supporter liaison officers and representatives from both the local police and Safety Advisory Group (SAG).

On 23 April 2022, the SGSA published the interim report by CFE Research, which we are delighted has confirmed that researchers have

“not witnessed anything during match observations in 2022 or gathered any evidence to date that contradicts [the previous research finding that] installing barriers or rails in areas of persistent standing in seated accommodation continues to have a positive impact on spectator safety, particularly in mitigating the risk of a progressive crowd collapse by limiting forwards and backwards movement”.

I am pleased to note that the interim report has identified a number of further positive impacts of installing barriers or rails, which are also consistent with the findings of the 2019-20 study, The “Safe Management of Persistent Standing in Seated Areas at Football Stadia” published by the SGSA in June 2021. These include: celebrations are more orderly with no opportunity for forwards and backwards movement; egress is more uniform because barriers limit spectators’ ability to climb over seats to exit more quickly; it is easier to identify pockets of overcrowding in these areas; and barriers offer stability for people moving up and down aisles and gangways.

The interim report also noted that operating licensed standing areas has the additional benefit of removing “the need for safety teams to make spectators sit down, reducing potential conflict between staff and spectators”

while also enhancing the match-day experience of spectators and customer service by enabling clubs to respond to spectators’ seating preferences. In addition, it has concluded that there is no evidence to date that the introduction of licensed standing areas has led to an increase in persistent standing elsewhere in the stadiums.

Alongside the SGSA, we have carefully considered the findings of the interim report, and with this robust evidence in hand, I am “minded to” change the existing all-seater policy to allow all clubs currently subject to this requirement to introduce licensed standing areas for the start of the 2022-23 season, provided they have met certain strict criteria, which are available online. The SGSA has also produced supplementary guidance (SG01) providing further information about the standards/requirements that must be met. This guidance is available online. Other areas of the grounds will continue to remain “all-seated”.

It is important to note that I have not taken the final decision at this stage, and any change to the existing all-seater policy will remain contingent upon the CFE Research final evaluation report confirming the findings of the interim report, which note that licensed standing areas provide for an equivalent (if not improved) level of spectator safety. We will also ensure that key stakeholders continue to have sufficient opportunity to provide any additional observations/feedback not already captured.

The Government’s approach has been driven by safety considerations throughout and this will continue to be our priority. We are not complacent about spectator safety, nor are we complacent about the safety policies that have served spectators well for many years. We will continue to work closely with the SGSA, football clubs, the football governing bodies and local authorities to ensure that spectator safety remains paramount.

[HCWS52]

HOME DEPARTMENT

Angiolini Inquiry: Contingent Liability for Indemnification

The Secretary of State for the Home Department (Priti Patel): I today lay before the House of Commons a departmental minute giving notice of a contingent liability for the issuing of an indemnity with respect to the work of the Angiolini inquiry.

The proposed indemnity will cover Dame Elish Angiolini as Chair of the Angiolini inquiry, current and former members of the Angiolini inquiry and any individual engaged at any time to aid the inquiry, against any legal costs, personal civil liability, actions, or damages related to the execution of their duties, or for any act done or omission made in good faith in the execution of their duties, including in relation to any inquiry report’s or other published documents.

This indemnity applies only to acts done or omissions made honestly and in good faith during the course of the inquiry, from its establishment on 31 January 2022 until the final reports are published by the Home Secretary and all of the closure work of the inquiry is concluded. The indemnity excludes personal criminal liability, negligence or reckless acts.

The indemnity is subject to the proviso that any liability which is to any extent met by insurers on the beneficiary of this indemnity, or for which reimbursement is made to any extent by such insurers, shall in that event and to that extent no longer be the subject of the indemnity and, if previously met or reimbursed by the Government, shall to that extent be refunded by the beneficiary to the Government.

Her Majesty's Treasury has approved the contingent liability in principle. The National Audit Office has been consulted on the proposal.

[HCWS51]

TRANSPORT

UK Shipping Office for Reducing Emissions

The Parliamentary Under-Secretary of State for Transport (Robert Courts): Decarbonising maritime is essential to achieve net zero emissions across the UK economy by 2050, as domestic shipping alone produces more greenhouse gases than buses, coaches and rail combined. Urgent action is needed today. The average lifespan of vessels means that greener ships must start being deployed by 2025 to achieve a zero-emission fleet by 2050. It is vital that every sector plays its part to remain in line with the Paris agreement. This transition of the shipping industry to zero emissions, as well as fulfilling our objectives to combat climate change, will also improve air quality in and around our ports and coastal communities.

Earlier this year the National Shipbuilding Strategy announced £206 million to establish in my Department a UK Shipping Office for Reducing Emissions, or UK SHORE. This is a world-leading initiative showcasing our climate leadership and commitment to decarbonising maritime.

Today, I am kick-starting this ambitious programme, launching a package of initiatives including:

The first round of the multi-year Clean Maritime Demonstration Competition, which opens today for applications. Building on the success of the first CMDC, to fund feasibility studies and pre-deployment trials in innovative clean maritime solutions, enabling full-scale technology demonstrations.

Feasibility studies exploring green shipping corridors, as part of the multi-year CMDC, placing the UK at the centre of emerging clean maritime routes. These will align with our ambition to drive

the transition to zero-emission shipping at the IMO, implementing the commitments in the Clydebank declaration for green shipping corridors, announced at COP26.

Exploring initiatives on green shipbuilding skills this year in partnership with the Department for Education and its UK shipbuilding skills taskforce, working closely with the National Shipbuilding Office. Future programmes will be targeted at upskilling our workforce, making sure we are ready as a shipbuilding and maritime nation for net zero shipping.

Working with the devolved Administrations to support the greening of intra-UK ferry routes via a zero-emission ferries programme. This will build domestic green corridors, tackling climate change and levelling up of the UK's island communities.

Confirmation that this year we will set out plans for a Centre for Smart Shipping (CSmart), a commitment in the maritime 2050 strategy. Providing a co-ordinating function in new and emerging technologies, CSmart will build on the UK's strength in smart shipping systems and enable innovation hubs to support regional clusters of expertise across the UK.

Grant schemes for early research projects delivered by our world leading universities, in partnership with the UK Research and Innovation Supergen programme and marine industrial stakeholders. This initiative will build on the excellence of UK academia, exploring new ideas to create a pipeline of future technology solutions to decarbonise the maritime sector.

This is the first of a series of packages launched as part of the implementation of UK SHORE. Initiatives will be delivered in parallel with the maritime commitments in the transport decarbonisation plan and the 2019 clean maritime plan. We will continue to build momentum towards the publication in 2023 of a refreshed clean maritime plan. This will bring together our commitments, setting out a plan of action towards net zero for the UK domestic maritime sector.

The transition to zero-emission shipping is a unique opportunity to radically reboot our marine manufacturing and gear up productivity, building on our competitive edge in clean maritime solutions. Delivered in partnership with the National Shipbuilding Office and the Department for International Trade, UK SHORE initiatives will energise UK shipyards and their supply chains as we recover from the impact of the covid-19 pandemic. It will drive innovation investment and revitalise maritime infrastructure. The implementation of UK SHORE is expected to support thousands of jobs across our communities, as programme implementation gathers pace.

[HCWS50]

ORAL ANSWERS

Tuesday 24 May 2022

	<i>Col. No.</i>		<i>Col. No.</i>
JUSTICE	137	JUSTICE—continued	
Access to Legal Aid	142	Non-custodial Sentences: Enforcement.....	150
Child Cruelty Register	150	Offenders: Giving Back to Communities.....	139
Court Backlog: Sexual and Violent Crime Victims.....	152	Prisoner Literacy.....	149
Court Delays: Attrition.....	141	Reducing Reoffending.....	146
Defendants on Remand: Sentencing Hearings	145	Topical Questions	153
Family Justice System Reform	151	Victims of Crime	137
Human Rights Framework Reform	144		

WRITTEN STATEMENTS

Tuesday 24 May 2022

	<i>Col. No.</i>		<i>Col. No.</i>
DIGITAL, CULTURE, MEDIA AND SPORT	9WS	TRANSPORT	11WS
Wider Implementation of Licensed Standing Areas in Football Stadiums: “Minded To” Decision.....	9WS	UK Shipping Office for Reducing Emissions	11WS
HOME DEPARTMENT	10WS		
Angiolini Inquiry: Contingent Liability for Indemnification	10WS		

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than
Tuesday 31 May 2022**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE
PROMPT PUBLICATION OF BOUND VOLUMES

Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

CONTENTS

Tuesday 24 May 2022

Oral Answers to Questions [Col. 137] [see index inside back page]
Secretary of State for Justice

Xinjiang Internment Camps: Shoot-to-Kill Policy [Col. 159]
Answer to urgent question—(Amanda Milling)

Nazanin Zaghari-Ratcliffe: Forced Confession [Col. 168]
Answer to urgent question—(Amanda Milling)

Northern Ireland Troubles (Legacy and Reconciliation) Bill [Col. 175]
Motion for Second Reading—(Brandon Lewis)—on a Division, agreed to
Programme motion—(Amanda Solloway)—agreed to

Petition [Col. 262]

Asylum Reception Centre: Linton-on-Ouse [Col. 263]
Debate on motion for Adjournment

Westminster Hall
FCDO Diplomatic Staff: Funding Levels [Col. 39WH]
Potential for a Hydrogen Village [Col. 57WH]
Fly-tipping and Illegal Dumping [Col. 66WH]
Great British Railways Headquarters: Swindon's Bid [Col. 91WH]
Georgia and the War in Ukraine [Col. 99WH]
General Debates

Written Statements [Col. 9WS]

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
