

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

First Delegated Legislation Committee

DRAFT ARMED FORCES ACT 2006  
(CONTINUATION) ORDER 2023

*Wednesday 21 June 2023*

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**The Committee consisted of the following Members:**

*Chair:* † CAROLYN HARRIS

- |  |   |
|--|---|
| † Baillie, Siobhan ( <i>Stroud</i> ) (Con)                             | † Murrison, Dr Andrew ( <i>Minister for Defence People, Veterans and Service Families</i> ) |
| † Byrne, Ian ( <i>Liverpool, West Derby</i> ) (Lab)                    | † Pollard, Luke ( <i>Plymouth, Sutton and Devonport</i> ) (Lab/Co-op)                       |
| † Courts, Robert ( <i>Witney</i> ) (Con)                               | Spellar, John ( <i>Warley</i> ) (Lab)   |
| † De Cordova, Marsha ( <i>Battersea</i> ) (Lab)                        | † Stephens, Chris ( <i>Glasgow South West</i> ) (SNP)                                       |
| † Double, Steve ( <i>Lord Commissioner of His Majesty's Treasury</i> ) | † Swayne, Sir Desmond ( <i>New Forest West</i> ) (Con)                                      |
| † Elphicke, Mrs Natalie ( <i>Dover</i> ) (Con)                         | † Turner, Karl ( <i>Kingston upon Hull East</i> ) (Lab)                                     |
| † Gibson, Peter ( <i>Darlington</i> ) (Con)                            |   |
| † Green, Chris ( <i>Bolton West</i> ) (Con)                            | Peter Stam, <i>Committee Clerk</i>  |
| † Jones, Gerald ( <i>Merthyr Tydfil and Rhymney</i> ) (Lab)            |   |
| † Levy, Ian ( <i>Blyth Valley</i> ) (Con)                              |   |
| Liddell-Grainger, Mr Ian ( <i>Bridgwater and West Somerset</i> ) (Con) | † <b>attended the Committee</b>   |

# First Delegated Legislation Committee

Wednesday 21 June 2023

[CAROLYN HARRIS *in the Chair*]

## Draft Armed Forces Act 2006 (Continuation) Order 2023

2.30 pm

**The Minister for Defence People, Veterans and Service Families (Dr Andrew Murrison):** I beg to move,

That this House has considered the draft Armed Forces Act 2006 (Continuation) Order 2023.

It is the job of parliamentary draftsmen to make legislation sound as dry and routine as possible; in this particular case, the title of the draft order that we are considering does not do the measure justice. Although I am confident that His Majesty's loyal Opposition will not oppose the measure—because of the consequences that so doing would bring—it is important to reflect on the historical provenance of what we are debating.

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): We are backing the draft order because Labour backs our armed forces, not because of the consequences of not doing so. I want to put that on the record, so that the Minister is not under any false impression about why we are here. We are here to support our armed forces.

**Dr Murrison:** I am very grateful for that, because the consequences of opposing the draft order would be that our armed forces would effectively become *ultra vires*. That has been the case since 1688 and 1689. It is important to understand that the legislation that underpins the continuation of our armed forces has to be renewed regularly. That is why we are here today.

The statutory instrument extends the Armed Forces Act 2006 until the end of 2024. It is an expression of this Parliament's right to ensure the continuation of a standing army. That is the basis of the legislation. Without supporting the draft order and extending the legislation, we would have no statutory basis for continuing with our armed forces, with all the consequences that that would bring. Our annual consideration of this legislation is very much a standard piece of parliamentary business, but it is also an opportunity for Committee members to reflect on the professionalism, the personal and collective bravery, and the sacrifice of our service personnel. That is particularly the case as we approach Armed Forces Day on Saturday.

My colleague in the other place, the Defence Minister the noble Baroness Goldie, has mentioned many of the change processes that are happening or have happened in defence recently. She mentioned the imminent defence Command Paper refresh, the Haythornthwaite review on Monday and the Etherton report earlier this month, which came hard on the heels of the Selous and Atherton reviews. I do not intend to focus on those today, but I mention them for the record.

Operationally, we have recently seen a spectrum of engagements by our armed forces, ranging from the successful airlifts from Sudan to Operation Cabrit in support of Estonia. Our armed forces are committed to supporting that which is right, and, of course, nowhere is that more the case than in Ukraine. Many tens of thousands of Ukrainians have been or are being trained across 33 partner nations. I am very pleased to say that the UK is shouldering a very large part of that. Our people have been working tirelessly—I have seen it in my constituency—as part of an operation to ensure that brave Ukrainians are capable of facing down Putin's illegal aggression. I am particularly proud that our armed forces are inculcating what they are world renowned for doing, which is exercising professionalism, service ethos and fighting practices of the sort, of the standard and at the level that I am confident will ultimately prove decisive in the fight.

The Committee may be reassured that we in the UK, along with our international allies and partners, remain resolute in our support for Ukraine against the Kremlin's barbarous behaviour, which, I am afraid, will stain Russia for years and years. Last week, defence announced a major new fund that will see a significant package of vital air defence equipment delivered to Ukraine. To achieve that, the UK is working closely with allies so that Ukraine is better able to defend itself against air threats to its people and infrastructure.

I hope that Committee members will support and approve the draft continuation order, which simply provides a sound legal basis for our armed forces to continue to operate.

2.35 pm

**Luke Pollard:** It is a pleasure to serve with you in the Chair, Mrs Harris. This is an opportunity for Members of all parties to thank our armed forces for their service to our country and our communities. The motion will be carried on a cross-party basis, because it matters that the United Kingdom preserves an efficient, highly mobile and trusted fighting force. We will support the motion as it stands.

I reiterate that Labour backs our armed forces. They embody the very best of British, and in deployments abroad and at home, they have demonstrated in the past year that not only do they carry the confidence of the nation, but we build our security for every other part of our national life on the security guarantee that our armed forces present to our country in keeping us all safe. Theirs is the ultimate public service.

I am proud to come from a military family, to represent a military city and to speak for defence for my party. As we approach Armed Forces Day, it is important that we not only remember those who are no longer with us due to their military service and those who have been forever changed by their military service, but thank all the people in regular and reserve roles for their service to our country. I also put on record my thanks to all the civilians who support our armed forces, because we rely not only on those in uniform, but on enormous numbers of people in roles right across the country, in nearly every single constituency, for their work in supporting our armed forces.

It is the moral imperative of any Government to keep the nation safe from hostile threats and protect our citizens. With the increasing threat globally from Putin's illegal invasion of Ukraine, the threats to our NATO

allies—especially on the eastern front—and rising tensions in the Indo-Pacific, we need to solidify our nation’s defences. Regrettably, 13 years of Conservative Government have left our armed forces in a weaker state than we would like them to be. Earlier this year, the Defence Secretary admitted in the Commons that the Government have “hollowed out and underfunded” our armed forces. The Tory cuts to our armed forces continue, and the Government plan to cut the Army even further. In the past decade, troop numbers have fallen from 97,000 to 76,000, and they are set to fall further to 73,000. As we face increasing threats to our national security, these cuts are too expensive for us to make, because the cost will be in our security and that of our allies. The former Chief of the Defence Staff, Lord Nick Houghton, was reported in the media today as saying that reducing the size of the Army “beggars belief”, and I believe that people in all parts of the House share that sentiment.

Does the Minister agree with the Defence Secretary’s assessment that our armed forces have been “hollowed out”? Does he confidently believe that our armed forces have the necessary size and strength to effectively defend our nation in the light of these cuts? The best way of doing that is to halt the cuts now. I would be grateful if the Minister set out when the expected defence Command paper will be published, and whether further cuts will be in there. I would also be grateful if he set out whether there are plans to fill the gaps that we now see in our armed forces, partly due to our very necessary support for Ukraine, which has created capability gaps—with the AS90 mobile artillery, for instance. Today, we are discussing whether the armed forces should continue to exist, which they should. The secondary question following that is: what shape, size and configuration should they be? It is important, when we acknowledge that there are capability gaps in our armed forces, that there is a plan to fill them, either with UK personnel and UK procurement or by borrowing from our friends and allies, so that we have as strong a fighting force as possible.

When we talk about the continuation of our armed forces, one very important aspect is the people who serve, which means that we must also look at the morale of our forces. In the past 13 years, the morale of our armed forces has fallen. In 2010, the continuous attitude survey showed that morale was around 60%. The latest survey, which the Minister’s Department recently published, shows that it has fallen to 43%. Those are not just arbitrary figures; they matter. Falling morale means more people leaving our armed forces, fewer people joining and the expensive skills with which we equip our armed forces being lost to the nation. It is important that steps are taken to increase morale in our armed forces, and I want the Minister briefly to comment on a number of the factors that affect morale.

One is poor military accommodation, which has a direct impact on forces’ morale and recruitment and retention. That is why, in March this year, Labour launched Homes Fit for Heroes, our campaign to highlight the poor state of our armed forces accommodation and to make it clear that, when Labour is in government, sorting that out will be a priority. I note that the hon. Member for Witney raised a similar concern in the Chamber recently, so this is a cross-party concern. If military housing was a priority, it would have been sorted by now—that is my assessment. Sorting it needs to be a priority.

Labour has pledged, during Armed Forces Week, to establish an armed forces commissioner to improve service life for our forces and their families. The commissioner would be an independent person to whom people can raise concerns and who can initiate their own investigations into issues of concern for our armed forces and their families, ranging from accommodation and kit to healthcare and food—and more besides. Will the Minister set out what action the Government are taking to halt the worrying slide in the morale of our armed forces personnel? Does he agree that the state of defence housing falls far below the standard that we should expect for our armed forces personnel?

I am aware that time is short, but I would be grateful if the Minister set out when we should expect to receive the Etherton report, which he mentioned. The report is a substantial piece of work that looks at LGBT veterans, their treatment and their experience in our armed forces, and it is an opportunity for us as a nation to right a set of wrongs that never should have happened. We understand that Lord Etherton has produced the report and delivered it to the Ministry of Defence, but the Ministry has not yet published it. Will the Minister tell us on what date it will be published and what actions will stem from its publication?

I welcome the publication of the Haythornthwaite review. Indeed, the Minister, a small number of parliamentarians and I had a briefing on that earlier this week. I would be grateful if he set out what additional steps he will take to implement the report. It is a very aspirational document that correctly identifies the problems, but does not really spell out the journey on how we are to improve service life, and particularly pay and conditions for our service personnel.

Labour backs our armed forces and will back the motion. We thank all those who serve our country.

2.43 pm

**Chris Stephens** (Glasgow South West) (SNP): The Scottish National party also supports our armed forces and will support the draft order. I do not intend to detain the Committee for long, but I should put on record my position as patron of the Friends of Nitshill War Memorial committee. I am proud that we recognise those who have fallen and made the ultimate sacrifice. I also pay tribute to the military veteran charities in Glasgow South West—namely Glasgow’s Helping Heroes and Community Veterans Support. I am sure that the Minister will agree that such charities play a vital role in helping those who have served to come back and adjust to civilian life.

I have just two issues to raise with the Minister. First, there are the questions on pay and conditions that my Labour colleague, the hon. Member for Plymouth, Sutton and Devonport, asked. Also, what is the Minister doing to ensure the welfare of those who are serving in our armed forces? They have experiences that those of us who have not served just cannot contemplate. Will he say a bit more about his role in ensuring the welfare of those who have served and helping them to adjust to civilian life?

2.44 pm

**Dr Murrison:** To address that point head on, the SNP spokesperson, the hon. Member for Glasgow South West, will be aware that there was a debate this morning on veterans’ welfare and Veterans UK in Westminster

[Dr Murrison]

Hall, in which his colleague, the hon. Member for Midlothian (Owen Thompson), spoke very well. I would refer him to the printed record in due course.

I am pleased to hear from the Opposition spokesperson, the hon. Member for Plymouth, Sutton and Devonport, that Labour backs our armed forces. I accept that, although it is worth reflecting that, until relatively recently, the Labour party was led by a politician whose support was hardly unequivocal. Heaven loves a sinner brought to repentance, and I am pleased that in the run-up to Armed Forces Day, the hon. Member for Plymouth, Sutton and Devonport, whose personal commitment I reflect fully, has reiterated his party's support for the men and women of our armed forces.

I also noted an implied spending commitment. While it is easy for all of us to stand up in this place and say what is wrong, it is more difficult to say how we will put it right. As we get closer to the general election, no doubt those themes will be explored to their fullest. Since we are approaching Armed Forces Day, and in the spirit of some level of collegiateness, perhaps we can reflect upon cuts and reduced headcount not being the exclusive province of one particular political party. Indeed, the peace dividend has weighed upon politicians of both hues as we try to grapple with the competing demands made upon us in terms of our public services.

On headcount, and what the hon. Gentleman cited as cuts, it is important to reflect that what is vital in defence is capability and output. By that measure, our armed forces are punching well above their weight, not because of investments in kit, but because of the excellence of the men and women who operate that kit.

I am very pleased that Lord Terence Etherton has completed his report. The hon. Gentleman knows that Lord Etherton brought his work to a conclusion at a reception that he hosted at the Imperial War Museum earlier this month, which was well received by the community. I had the privilege of speaking at that event. I hope that his report will hit the streets very soon, and, equally, that the Government's response will be published soon. The hon. Gentleman is right to raise this. The way people were treated between 1967 and 2000 was truly shocking on occasion, and left a stain on defence. It is right that we acknowledge that and do what we can to make amends. I am confident that the Government will do just that.

The hon. Gentleman mentioned Haythornthwaite. I think we are all gradually coming to terms with the enormity of what Haythornthwaite has recommended.

It is a complicated report, with 67 recommendations, most of which, it is probably true to say, are strategic in nature. They are overarching and will profoundly affect the way we do people business in defence. We cannot simply do nothing; that is not an option. To do nothing would mean that, as defence, we would wither and die. All militaries have to grapple with demographic change and changing societal mores and attitudes. We are no different, but if we are to compete in the marketplace, we have to change. We cannot expect the remit population to change.

I am confident that when we produce our response to Haythornthwaite, which will be carefully considered, we will have a blueprint to establish how the people side of the business proceeds in the years ahead, but it is a long haul. I hope that the hon. Gentleman will support Rick Haythornthwaite. I have already said that I think his work is sound, and the best basis for proceeding with the recruitment and retention of our people in the years ahead. As for the detail of the Government's response, the hon. Gentleman will understand that there is quite a lot of work to be done, so that when we come to say what we think about this, what we have makes sense and will convince not just him, but, more importantly, the men and women of our armed forces. Without their consent and that of their families, I do not think we will make progress at all.

My nightmare is the report ending up a little like the Bett report of the 1990s—the last big review of its kind. Although it was useful at the time, much of it sat on a shelf gathering dust, and we have not implemented a lot of it to this day. I said to Rick Haythornthwaite that I do not want that to be the destiny of his report. It therefore needs a proper response from the Government. I am seized of the importance of doing it quickly, and of the importance of doing it properly. That is what we will do.

I think I have addressed most of the points raised by the hon. Members for Plymouth, Sutton and Devonport and for Glasgow South West, but I will happily respond to anything that I have missed in writing.

**The Chair:** Before I put the Question, may I say that it is customary for Members to request permission to remove their jacket in a sitting, and not to assume that permission has been granted?

*Question put and agreed to.*

2.51 pm

*Committee rose.*



