

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

First Delegated Legislation Committee

NORTHERN IRELAND (MINISTERIAL
APPOINTMENT FUNCTIONS) REGULATIONS 2023

Monday 11 September 2023

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Friday 15 September 2023

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The Committee consisted of the following Members:

Chair: MR LAURENCE ROBERTSON

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| † Anderson, Fleur (<i>Putney</i>) (Lab) | † Hunt, Tom (<i>Ipswich</i>) (Con) |
| † Carden, Dan (<i>Liverpool, Walton</i>) (Lab) | † Johnson, Gareth (<i>Dartford</i>) (Con) |
| † Davison, Dehenna (<i>Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities</i>) | † Langan, Robert (<i>High Peak</i>) (Con) |
| † Elmore, Chris (<i>Ogmore</i>) (Lab) | † McDonald, Andy (<i>Middlesbrough</i>) (Lab) |
| Gardiner, Barry (<i>Brent North</i>) (Lab) | † Menzies, Mark (<i>Fylde</i>) (Con) |
| † Grant, Mrs Helen (<i>Maidstone and The Weald</i>) (Con) | Osborne, Kate (<i>Jarrow</i>) (Lab) |
| † Green, Chris (<i>Bolton West</i>) (Con) | † Shelbrooke, Alec (<i>Elmet and Rothwell</i>) (Con) |
| † Greenwood, Margaret (<i>Wirral West</i>) (Lab) | † Tomlinson, Justin (<i>North Swindon</i>) (Con) |
| † Hammond, Stephen (<i>Wimbledon</i>) (Con) | Chloe Smith, <i>Committee Clerk</i> |
| | † attended the Committee |

First Delegated Legislation Committee

Monday 11 September 2023

[MR LAURENCE ROBERTSON *in the Chair*]

Northern Ireland (Ministerial Appointment Functions) Regulations 2023

4.30 pm

The Chair: Members should feel free to remove their jackets if they so wish.

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Dehenna Davison): I beg to move,

That the Committee has considered the Northern Ireland (Ministerial Appointment Functions) Regulations 2023 (S.I. 2023, No. 776).

It is a pleasure to serve under your chairmanship today, Mr Robertson, and to welcome to her place the shadow Minister, the hon. Member for Putney. I think that this is her first Delegated Legislation Committee. I remember my first; I was absolutely petrified. She looks a lot calmer than I was. I am looking forward to working with her as we move through what I hope will be a relatively non-controversial and consensual statutory instrument today. On that basis, I have prepared for only 90 minutes, but Members should feel free to make long interventions if they so wish.

The regulations were laid before the House on 10 July 2023. The Minister of State for Northern Ireland sends his apologies to the Committee; unfortunately, he is unavoidably absent. I am sorry that, in me, the Committee has the B team, but I am glad to support the Minister of State by taking the instrument through the Committee.

The Government are committed to the Belfast/Good Friday agreement, and our priority is to see the return of a locally elected, accountable and effective devolved Government, which is and will remain the right way for Northern Ireland to be governed. However, in the absence of a devolved Government, the UK Government are committed to acting in the best interests of the people of Northern Ireland, to ensure that there is good governance and that public confidence is maintained in Northern Ireland until an Executive are restored.

In December last year, we passed primary legislation that, among other things, addressed the need for urgent public appointments to be made to a number of bodies. The Northern Ireland (Executive Formation etc) Act 2022 provided for the Secretary of State to appoint a new Commissioner for Children and Young People for Northern Ireland, and further provided for the Lord Chancellor to make appointments to the Northern Ireland Judicial Appointments Commission, in the initial phase of appointments. The 2022 Act provided for the Secretary of State to add to the list, by way of regulations, further urgent and necessary appointments that may arise during the continuing absence of an Executive.

The Government maintain that, while prioritising the restoration of devolved government, it is important to ensure the maintenance of good governance and to

ensure that public bodies can continue to function. The appointments made to date under the provisions of the 2022 Act have contributed to that. The statutory instrument therefore includes a further list of specific offices that the Executive Office has identified as urgent and critical because of the continued absence of an Executive. The Act did not originally provide for the appointment of those offices, because urgent action was not required at that time, but because of the continued absence of an Executive, it is now critical that appointments are made to a number of bodies to ensure that they can continue to function.

The statutory instrument will allow for appointments to be made to those bodies, which will continue to safeguard the quality and delivery of services in Northern Ireland. To prepare the instrument, Northern Ireland Office officials worked closely with the Northern Ireland civil service departments, including the Executive Office, to identify further critical appointments that have arisen during the absence of an Executive, some of which have already faced difficulties and unfortunately been unable to exercise their statutory duties and functions because of the absence of Ministers.

The instrument adds to the list in section 6 of the EF Act, which will enable the Secretary of State, as a relevant UK Minister, to exercise Northern Ireland Ministers' appointment functions in relation to the following bodies—I am assured that further information about each is provided in annex A. The bodies include the Agricultural Wages Board, the Livestock and Meat Commission, the Northern Ireland Fishery Harbour Authority, the Northern Ireland Local Government Officers' Superannuation Committee, the board of trustees of the National Museums and Galleries of Northern Ireland, the Northern Ireland Historic Buildings Council, the General Consumer Council for Northern Ireland, the Labour Relations Agency, Tourism Northern Ireland, the Northern Ireland Policing Board, the Probation Board for Northern Ireland and the Commissioner for Public Appointments for Northern Ireland. Those are important offices, and the exercise of appointment functions in the coming months is critical for the continuation of good governance in Northern Ireland.

4.34 pm

Fleur Anderson (Putney) (Lab): It is an honour to serve under your chairship, Mr Robertson. I thank the Minister, the hon. Member for Bishop Auckland (Dehenna Davison), for standing in today and for her welcome, and I wish the hon. Member for Wycombe (Mr Baker), the Northern Ireland Minister of State, a speedy recovery. I look forward to our future exchanges.

Public appointments are necessary for the continuation of good governance, and the Opposition will not oppose the regulations. I hope that the appointments to the Commissioner for Public Appointments for Northern Ireland as well as to positions at the Labour Relations Agency, the Policing Board and the General Consumer Council, among others, will increase social and economic confidence in Northern Ireland—so badly needed for a people suffering more than any other part of the country from the cost of living crisis.

I am pleased that the Government have been explicit in confirming that this legislation will last only as long as power sharing is suspended and that it will be overturned

as soon as the Assembly and Executive resume. Having said that, I think it would be remiss of me as the newly appointed shadow Minister not to start as I mean to go on: by championing Northern Ireland. My grandparents are from Northern Ireland and I am proud of my Northern Irish roots. I look forward to visiting in an official capacity with my right hon. Friend the Member for Leeds Central (Hilary Benn), the shadow Secretary of State, very soon.

The Committee already knows how beautiful Northern Ireland is and how friendly its people, but it is also now the destination of choice for tech companies looking to set up in the UK and it has been listed as a world leader on climate action. To return to the subject of this statutory instrument, despite those great achievements, power sharing in Stormont is still at an impasse. It is vital that the UK Government and European Union constructively engage with the concerns of the Unionist community that have led to the current stand-off. At the same time, it is incumbent on decision makers to ensure

that any proposed solutions are welcomed by the nationalist community so that the Executive can continue to operate functionally.

I am proud to be continuing a long history of Labour politicians standing up for Northern Ireland. The Labour party cherishes the Belfast/Good Friday agreement and believes that its functions and the principles that underpin it represent the best way forward for Northern Ireland. By finally restoring the Executive and Assembly, we can avoid in future the need for statutory instruments such as what we are agreeing today. That is what we all want to see as soon as possible.

4.36 pm

Dehenna Davison: I am grateful to the shadow Minister not only for championing Northern Ireland but for supporting this statutory instrument.

Question put and agreed to.

4.37 pm

Committee rose.

