

Foreign Secretary update to Parliament on Harry Dunn case

Today, I want to update the House on the tragic case of the death of the 19 year old Harry Dunn in a car accident in Northamptonshire, and what we are doing to support his family in their search for justice.

As the father of two young boys myself, I can only begin to imagine the grief and suffering of losing a child. It's every family's worst nightmare. I'm sure the whole House will join with me in expressing my deepest sympathies to Harry's family for their unbearable loss.

Mr Speaker, let me start with the facts of this case, and the steps that the Government has taken in recent weeks to support the police investigation.

On 27 August, Harry Dunn was killed in a road traffic collision while riding his motorbike in Croughton, Northamptonshire. The suspect in the police investigation is an American woman.

As it has been widely reported, at the time of the accident, the American involved had diplomatic immunity. The UK Government had been notified of the family's arrival in the UK in July 2019.

This diplomatic immunity was the result of the arrangements agreed between the UK Government and the US Government in 1995. Under those arrangements, US staff at RAF Croughton and their families were accepted as part of the US Embassy in the UK.

Pursuant to these arrangements, the staff and their families were entitled to immunity under the Vienna Convention on Diplomatic Relations.

Under the exchange of notes in relation to the Croughton Annex, these arrangements waived immunity for employees, but the waiver did not cover spouses.

Returning to the specific case of Harry Dunn. On 28 August of this year, the US Embassy notified us that the spouse of a member of staff at RAF Croughton had been involved in an accident.

On 30 August, the US asserted that the spouse was covered by immunity, so a waiver was needed.

To enable the police investigation to follow its proper course, on 5 September, the FC0 formally requested the US Embassy to waive immunity. Given the seriousness of the incident, our view was -and remains - that justice needs to be done.

If her immunity had been waived, Northamptonshire Police would then have been able to compel her to cooperate fully with their investigation.

However, on 13 September, the FCO was informed by the US Embassy that they would not waive immunity, and that the individual would be leaving the country imminently, unless the UK had strong objections.

We duly and immediately objected in clear and strong terms and have done since. Nevertheless, under the Vienna Convention, UK police could not have lawfully prevented the individual from leaving the UK.

When the FCO followed up with the US Embassy on 16 September, they informed us that the individual had departed the day before.

We immediately informed Northants Police.

When FCO's views were sought on timing, officials asked the police to delay telling the family by a day or two, so that they could inform me and other Ministers and agree the next course of action.

I am aware that the police did not tell the family until 26 September, which was 11 days after the family had left.

As the primary point of family liaison, the decision as to when to tell the family was properly a matter for the police.

Turning to the issue of waiver, I can reassure the House that representations have been made to the US government at every level of the administration. The Head of the Diplomatic Service summoned the US Deputy Ambassador.

I raised this case twice with the US Ambassador, in order to express my disappointment with their decision not to waive immunity, and to request that the decision be reversed.

I spoke to US Secretary of State Mike Pompeo in the same terms on 7 October, and the Prime Minister raised the case with President Trump on 9 October.

The scope of immunity is a complex area of law, because in some circumstances there may be a residual immunity that can continue once an individual returns home, depending on their status and the particular facts of the case.

Our position, in this case, is that immunity clearly ended when the individual concerned left the UK.

The US government in turn stated on 8 October that since the individual had returned to the US, in their view, immunity was 'no longer pertinent'.

We took time and we took care to resolve this point, because of its relevance to the case.

We also wanted to be fully confident in the legal position, before we communicated it to the family, given their anguish and frustration with the obstacles to the investigation. Once the position was clear, I conveyed it directly to the family by letter on 12 October.

We continue to urge the US authorities and the individual in question to

fully cooperate with the investigation.

The case is now with Northamptonshire Police and the Crown Prosecution Service, and it is for them to consider next steps as part of their criminal investigation.

At every stage in this process, we have sought to clear away any obstacles to justice being done.

At the same time, I have been mindful of the need to avoid anything that could be construed as political interference, in case that might later be argued to prejudice the proper and fair course of the investigation, and thereby prevent justice being done.

Mr Speaker, let me now turn to our next steps.

First, we will continue to do all that we can to support the Police and the CPS during this process. And I can assure this House, as I assured Harry's family when I met with them on 9 October, that we will continue to fight for justice for them.

Second, I have already commissioned a review of the immunity arrangements for US personnel and their families at the Croughton Annex, holding privileges and immunities under the Vienna Convention on Diplomatic Relations.

As this case has demonstrated, I do not believe the current arrangements are right. The review will look at how we make sure the arrangements at Croughton cannot be used in this way again.

Mr Speaker, in one night, a tragic accident took the life of a young man with his whole future ahead of him.

That loss has devastated his family, as it would any of ours.

I can reassure the House that this government will do everything it can to give them the solace of justice being done. Our hearts go out to them, and I commend this statement to the House.