

Identity and Language (NI) Bill: Second Reading Opening Speech

My Lords, I apologise at the outset if my voice is a little croakier than normal: it is entirely down, I think, to four days of singing "God Save the Queen".

Before turning to the Bill, I would like to make two brief observations. First, I associate myself and the Government with the outrage and abhorrence expressed throughout Northern Ireland in recent days at the vile videos circulating regarding the tragic killing of Michaela McAreavey in 2011. The actions of those responsible are contemptible beyond words; they are in no way representative of unionism or loyalism, and our thoughts are very much with the McAreavey and Harte families at this very difficult time.

Secondly, and on a more positive note, Northern Ireland, like the rest of the United Kingdom, has just spent four days celebrating the glorious reign, devotion to duty, integrity and selfless leadership of Her Majesty the Queen.

I would like to thank all those responsible for planning events and activities that I know were enjoyed right across the community. The fact that I had messages at the weekend from people of a nationalist background expressing their admiration for the Queen is testimony to Her Majesty's unique ability to unite people and bring them together.

The context of the Bill before the House this afternoon is the collapse of devolved government from 2017 to 2020 and the intensive efforts over almost three years to restore it. Although issues around language and identity were not the prime reason for the collapse in January 2017, during the subsequent Assembly election and beyond the capacity of these issues to poison debate and paralyse politics in Northern Ireland became all too apparent.

It quickly became clear that without substantial progress on them, there was little prospect of seeing a return of the institutions that are such an integral part of the Belfast agreement that we in this Government staunchly support and uphold.

I will not detain the House with the details of the multiple phases of talks that took place during those three years. As one who played a role in the majority of them as a government adviser, I can say that it was a deeply frustrating experience that I do not look back on with any affection. It was proof, if any were needed, that it is far easier to pull down the institutions in Northern Ireland than it is to build them.

Eventually, following the 2019 general election, in January 2020 the UK and Irish Governments were able to present the document New Decade, New Approach to the main Northern Ireland parties as the basis for reforming the Executive, which duly happened.

Of course, integral to New Decade, New Approach were commitments, principally though not exclusively in Annexe E, on identity and language, based on the discussions of the previous three years.

Crucially, the document contained a commitment in part 2, paragraph 25 to “respect the freedom of all persons in Northern Ireland to choose, affirm, maintain and develop their national and cultural identity and to celebrate and express that identity in a manner which takes into account the sensitivities of those with different national or cultural identities and respects the rule of law.”

As set out in New Decade, New Approach, the provisions on identity and language were to be taken forward by the restored Executive through three separate pieces of legislation, the main contents of which were published in Annexe E and in the three draft Bills prepared by the Office of the Legislative Counsel in Northern Ireland at the request of the UK Government, to support a successful conclusion to the ongoing political talks to restore the Executive.

Once passed, these Acts would then become new, dedicated parts of the Northern Ireland Act 1998, reflecting the importance and significance of these issues to many people right across society.

It was always the Government’s intention and very clear preference that these provisions would be delivered by the Northern Ireland Executive and Assembly, as they are devolved matters.

Regrettably, however, by the autumn of last year it became clear that this was unlikely to happen any time soon, and my right honourable friend the Secretary of State for Northern Ireland decided to take these matters forward in this sovereign Parliament of the United Kingdom. The Bill before the House today honours that commitment.

It represents a balanced package of measures that faithfully implements in one piece of legislation Annexe E of New Decade, New Approach, recognises Northern Ireland’s rich diversity of identity and language, and benefits both Irish language speakers and those from the Ulster Scots and Ulster British tradition.

It comes in addition to a number of other steps being taken by the UK Government under New Decade, New Approach, as set out in the annexe on UK Government commitments to Northern Ireland.

Last year, therefore, we announced £2 million in funding for Northern Ireland Screen’s Ulster Scots and Irish language broadcasting funds to help deliver more high-quality Irish and Ulster Scots broadcasting in Northern Ireland. In May of this year, the Government officially recognised Ulster Scots as a national minority under the Council of Europe’s Framework Convention for the Protection of National Minorities.

At the same time, under the section of New Decade, New Approach titled, “Addressing Northern Ireland’s unique circumstances”, we made available £4

million to the Irish Language Investment Fund to support capital projects associated with the Irish language.

Turning to the Bill, Clause 1 amends the Northern Ireland Act 1998 to make provision for national and cultural identity principles and requires specific public authorities to have due regard to them when carrying out their functions. To summarise, these principles affirm the freedom of everybody in Northern Ireland to choose, affirm, maintain and develop their national and cultural identity within the law.

They establish the important role of public authorities in promoting reconciliation, tolerance and parity of esteem. The clause also establishes a new office of identity and cultural expression to promote awareness and to monitor and encourage compliance with the principles outlined above.

It will be a statutory body and its director will be appointed by the First and Deputy First Ministers of Northern Ireland, acting jointly. It will be able to provide funding to groups and organisations in support of the cultural and linguistic heritage of Northern Ireland.

Clause 2 amends the Northern Ireland Act to make provision for the official recognition of the status of the Irish language and the appointment of an Irish language commissioner to enhance and protect its use by public authorities when they are providing services.

The commissioner, who will be appointed by the First and Deputy First Ministers, acting jointly, will develop standards of best practice to which public authorities must have due regard. These standards, intended to be "reasonable, proportionate and practical", will have to be approved by the First and Deputy First Ministers before they can take effect.

The commissioner will also monitor and promote compliance with approved standards and investigate complaints where it is claimed that a public authority has failed to comply with its obligations.

Clause 3 makes provision for the appointment of a commissioner for the enhancement and development of the language, arts and literature associated with the Ulster Scots and Ulster British tradition. They will, for example, promote awareness of Ulster Scots services provided by public authorities and provide and publish advice, support and guidance in respect of language, arts and literature.

Reflecting the Government's recent recognition of Ulster Scots under the framework convention, this advice will also cover the effect and implementation of certain named international instruments. The commissioner will also be required to investigate complaints that a public authority did not have due regard to guidance relating to facilitating the use of Ulster Scots in the provision of services to the public.

The Government are of course mindful of the potential impacts of these three new public authorities on Northern Ireland's carefully balanced constitutional framework, including the north-south language body and human

rights institutions. For that reason, all three new public authorities will be able to co-operate with and, as they deem fit, consult the various language bodies and human rights institutions in Northern Ireland as they go about their work, such as the Ulster-Scots Agency and Foras na Gaeilge, which I met in Belfast last week.

This reflects the vision set out in New Decade, New Approach Clause 4 will repeal the Administration of Justice (Language) Act (Ireland) 1737 so that provision for the use of languages other than English in proceedings will be a matter for the Northern Ireland Courts Service to determine as and when it deems necessary.

I should point out to those who might still be concerned about this that the equivalent legislation for England and Wales was repealed by Lord Palmerston in 1863.

Clause 5 amends the Education (Northern Ireland) Order 1998 to place a duty on the Department of Education in Northern Ireland to encourage and facilitate the use and understanding of Ulster Scots in the education system. Clauses 6 and 7 contain important concurrent powers and powers of direction for the Secretary of State to ensure the implementation of the commitments in this Bill. Finally, the remaining Clauses 7 to 11 deal with consequential and general provisions.

The Bill is an important milestone in the delivery of New Decade, New Approach, which was so instrumental to the restoration of devolved government in January 2020. It takes forward commitments on identity and language for the whole community in Northern Ireland. In doing so, this Government recognises the rich tapestry of identities, languages and culture which enhance, enrich and strengthen, rather than weaken, our United Kingdom.

This legislation complements and underpins this Government's vision of a Northern Ireland which is open, inclusive and tolerant and embraces people from all parts of the community regardless of their religious belief, political opinion or racial group.

This Government are and will remain steadfast in their belief in the union and Northern Ireland's integral place within it, but recognise that, if the union is to prosper and endure, it must work for everyone. I believe that this carefully balanced piece of legislation achieves just that. In that spirit, I commend it to the House.

As they say in Irish, sin é. I beg to move.

[Hampshire child sex offender receives](#)

increased prison sentence at the Court of Appeal

News story

Gawain Fallows has received an increased prison sentence under the Unduly Lenient Sentence scheme



A Hampshire man who committed multiple sexual offences against children has had his prison sentence increased after his case was referred to the Court of Appeal by the Solicitor General Alex Chalk QC MP.

In 2019 Gawain Fallows, now 36, was found to be in possession of a mobile phone which had a large number of indecent images of children. His phone also had an extensive number of sexual messages with a victim aged 14-15 which included requests for explicit images and videos.

Between March and April 2021, while under investigation for the earlier offences, Fallows exchanged sexualised messages with an undercover police officer posing as a 12-year-old girl. In August Fallows then exchanged similar messages with two undercover anti-pedophile activists posing as a 13-year-old girl and her 11-year-old younger sister.

On 16 March 2022 Fallows was sentenced to 2 years and 6 months' imprisonment at Portsmouth Crown Court for 14 counts of various child sex offences including causing or inciting a child to engage in sexual activity, attempting to engage in sexual communication with a child and making indecent images of children. He was also made subject to a 10-year Sexual Harm Prevention Order.

Following the sentencing, the Solicitor General referred the original sentence to the Court of Appeal under the Unduly Lenient Sentence scheme because he believed it was too low.

On 08 June the Court of Appeal found Fallows' sentence to be unduly lenient and sentenced him to a prison term of 5 years and 6 months.

Speaking after the hearing, the Solicitor General Alex Chalk QC MP said:

Gawain Fallows committed many sexual offences against children and his crimes merited a stronger sentence to properly reflect those offences. I hope today's verdict sends a clear message that all child sex offenders can expect to receive the full force of the law.

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[HMRC urges customers to leave tax avoidance scheme promoted by London-based firm](#)

Another tax avoidance scheme has been exposed by HM Revenue and Customs (HMRC) today (8 June 2022), to help ensure customers do not end up with large tax bills.

Individuals using a tax avoidance scheme provided by Peak PAYE Ltd are urged to withdraw from it and to contact HMRC as soon as possible.

This [latest publication of a tax avoidance scheme promoter](#) comes after HMRC recently used new powers for the first time as part of its [Don't Get Caught Out](#) campaign.

The named tax avoidance promoter is Peak PAYE Ltd, of 86-90 Paul Street, London, EC2A 4NE.

By paying contractors National Minimum Wage, and then paying the remainder of the contractors' wage disguised as a financial option or as a salary advance, this promoter promised its users that they can avoid paying National Insurance and Income Tax.

Mary Aiston, HMRC's Director of Counter Avoidance, said:

Tax avoidance schemes are advertised as clever ways to pay less tax when in reality, they rarely work as the promoters promise, and it is the users that end up with big tax bills.

Naming tax avoidance promoters is one of the many steps we are taking to disrupt and drive scheme promoters out of business. We want to help ensure customers do not get caught out by tax avoidance.

HMRC has now published the details of 3 tax avoidance schemes and their promoters and will continue to add to this list in the coming months. This is not a complete list of all tax avoidance schemes currently being marketed or a complete list of all promoters, enablers, and suppliers. HMRC recommends steering clear of all avoidance schemes.

This is not the only way HMRC is ensuring customers do not get caught out by tax avoidance. HMRC also recently secured wins in 2 separate tribunal cases against the tax avoidance firm AML Tax (UK) Ltd, part of the Knox Group. AML Tax (UK) Ltd was successfully challenged over its refusal to provide details of 3 avoidance schemes, which follows a £150,000 fine for not providing HMRC with required information.

While one tribunal said that evidence provided by director Arthur Lancaster was 'inconsistent with the documentary evidence' and 'disingenuous', both lower-tier tribunals ruled AML Tax (UK) Ltd should have disclosed the details of 3 tax avoidance schemes they promoted, and they could not appeal these decisions.

HMRC's [Tax Avoidance – Don't Get Caught Out](#) campaign offers a range of tools to customers to help them steer clear of avoidance schemes, such as the [interactive risk checker](#), [payslip guidance](#), and [case studies](#) demonstrating the risks of becoming involved in a tax avoidance scheme and the warning signs customers should look out for.

Customers who believe that they are involved in a tax avoidance scheme are advised to contact HMRC as quickly as possible by calling 03000 534 226. HMRC is also urging customers who have been encouraged to get into a tax avoidance scheme or have come into contact with someone selling tax avoidance schemes to [report these to HMRC](#).

Information about the [published tax avoidance schemes and promoters](#).

Information about [HMRC's 'Don't Get Caught Out'](#) campaign and the support available for customers who believe they are involved in a tax avoidance scheme.

Visit GOV.UK to [report tax avoidance schemes](#) and those offering you the schemes.

Customers can use HMRC's [interactive risk checker](#) to find out if their employment arrangements could involve tax avoidance.

Information about our [strategy on tax avoidance schemes and promoters](#).

Joint statement on death toll since 25th military coup in Sudan

Press release

Joint statement by the embassy of United Kingdom and other embassies in Sudan on death toll since 25th military coup.



The Embassies of Canada, France, Germany, Italy, Japan, the Netherlands, Norway, Spain, Sweden, the United Kingdom, the United States of America and the Delegation of the European Union to Sudan note with deep regret and concern the death of the 100th civilian killed in protests since the military coup of October 25, 2021.

We deeply regret the loss of Sudanese lives, killed in large-scale attacks and violence across the country during the same period. The loss of life and many injured represent a heavy toll for the people of Sudan. We would like to extend our sympathies to the families and friends of the victims. The latest killing adds to the ongoing suffering of the Sudanese people during this period of severe economic hardship and rising conflict in many regions of Sudan.

We once again call on the authorities to undertake further confidence-building measures, such as: ensuring an effective end to the use of force against protesters; lifting emergency decrees; ensuring progress on ongoing investigations into human rights violations; and releasing those arrested for their political opinions under emergency legislation.

These measures can help revitalize the search for common ground and allow the international community to return to full engagement in accompanying Sudan on its path to democracy.

We remember all victims today, across Sudan, just as we recommit to support to the Sudanese people in their pursuit for freedom, peace, justice and the rule of law.

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Paula Sussex to leave SLC at end of 2022

Press release

The Student Loans Company (SLC) has announced that Paula Sussex, CEO, will leave the organisation at the end of the year.



Paula will leave following four successful years at the helm, having led the organisation safely through the pandemic and having implemented a significant transformation to implement more modern, customer-focused processes and systems.

Announcing her decision, Paula Sussex said: “I am immensely proud of what we as a team have achieved during my time at the Student Loans Company. We have not only made significant improvements that are benefitting our customers, but we have also laid strong foundations that will enable that transformation to continue and for the organisation to play its critical role in the delivery of the UK Government’s education reforms, including the new Lifelong Loan Entitlement. None of this could have been done without the commitment and strength of all at SLC. Now, with a brilliant team in place, is an appropriate time to begin the succession to a new CEO.”

Minister for Higher and Further Education Michelle Donelan said: “Paula has done an exceptional job leading the Student Loans Company, especially through the pandemic, providing student finance to a record number of students, while continuing to transform the business and improve students’ experience.

“I am confident that the SLC will continue to build on these successes as we deliver vital reform of our further and higher education sector and promote lifelong learning. I am very grateful for everything Paula has achieved and look forward to working closely with her successor.”

Peter Lauener, SLC Chair, said: “Since joining in 2018, Paula has changed the Student Loans Company for the better. She has overseen the delivery of our

transformation programme and improved the experience offered to customers as well as the overall health of our organisation. SLC is a stronger, more resilient and more confident organisation with a bright future.”

SLC has commenced the process of recruiting a new CEO and the appointment will be subject to Ministerial approval. Paula will remain in post until the end of the year to oversee the continued delivery of SLC’s strategy and to support a smooth transition to the new CEO.

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