

# Statement to Parliament: Debate on the armed forces and investigation and prosecution of historical cases

Mr Speaker, I am grateful to the Right Honourable Member for North Belfast and his colleagues for bringing this motion to the House today and for initiating this very important debate.

So can I be clear from the outset.

Operation Banner, as the House is aware, lasted for nearly 30 years.

It was the longest single continuous deployment of the Armed Forces in British military history. During that period over 250,000 people served.

The Armed Forces and the RUC combined lost over 1,000 men and women to terrorism. There were over 7,000 awards for bravery. And the Royal Ulster Constabulary was rightly awarded the George Cross.

So as this Government's Northern Ireland manifesto at the last election made clear, "we salute the remarkable dedication and courage of the Royal Ulster Constabulary and our Armed Forces in defending the rule of law and in ensuring that the future of Northern Ireland would only ever be determined by democracy and consent."

Quite simply without their contribution what we know today as the Northern Ireland peace process would never have happened.

All of us, across this House and throughout our United Kingdom, owe them a huge debt of gratitude. Just as we owe them an enormous debt for the work and sacrifice they have made in other parts of the world referred to in the motion before us, in Kosovo, in Iraq and in Afghanistan.

Wherever they operate we quite rightly regard our Armed Forces as the best in the world.

The Government asks them to put their lives on the line in order to defend us and our way of life. In return they rightly expect the fullest possible support from the Government.

And that is something that this Government, through my RHF the Defence Secretary and his colleagues, is determined to provide.

We will never accept any kind of spurious moral equivalence between those who sought to uphold the rule of law and the terrorists who sought to destroy it.

For us, politically motivated violence in Northern Ireland was never justified, whether it was carried out by republicans or loyalists.

We will continue to reject attempts to place the state at the heart of every atrocity or somehow to displace responsibility away from those who carried out terrorist attacks, namely the terrorists themselves.

And we will not accept attempts to denigrate the contribution of the security forces and seek to give any kind of legitimacy to violence.

But being the best in the world does mean operating to the very highest of standards. We expect nothing less and I know that our Armed Forces would not have it any other way.

As the Noble Lord Stirrup put it in a recent debate in the Other Place, "The need to act lawfully is not a side consideration for the Armed Forces; it is an integral part of the ethos and training."

We believe in the rule of law and the police and Armed Forces are charged with upholding the law. They cannot operate above it or outside of it. Where there is evidence of criminality it should be investigated without fear or favour.

But in our view what characterised the overwhelming majority of those who served was discipline, integrity, restraint, professionalism and bravery.

And we should be proud of them.

Mr Speaker, as my Right Honourable Friend the Prime Minister also made clear in the House yesterday, it is also appalling when people try to make a business of dragging our brave troops through the courts.

In that context the motion before the House welcomes the Government's decision to wind up the Iraq Historic Allegations Team following the Solicitors' Disciplinary Tribunal hearing, and the consequent decision to strike off Phil Shiner.

This called into question the credibility of a large number of the IHAT's remaining caseload ... which will now revert to the Royal Navy Police.

To be clear, the Government has a legal obligation to ensure that criminal allegations against the Armed Forces are investigated.

But we also remain determined to ensure that our legal system is not abused ... as it clearly was by Mr Shiner ... falsely to impugn the reputation of our Armed Forces.

And we should all support the decisive action taken by my Right Honourable Friend the Defence Secretary in this case.

Mr Speaker, as many RH and HMs are well aware, addressing the legacy of the past has been one of the most difficult issues since the Belfast Agreement nearly 19 years ago.

What is clear today, as today's debate highlights, is the current structures in place are simply not delivering for anyone, including victims and

survivors on all sides who suffered most during the Troubles.

The rawness of the continuing pain and emotion of families and survivors is stark.

And yet the need to make progress in this area is clear.

The legacy of the past continues to cast a shadow over society in Northern Ireland. It retains the ability to destabilise politics.

And it has the capacity to be used by those who wish to fuel division promote terrorism to achieve their objectives. Of course people are always going to retain their own views on the past, which will be shaped by their own experiences of it.

I acknowledge that that the Government's view of the troubles will not be shared by everyone and vice versa. But where we should strive to reach consensus is on the structures needed to address it, and in a way that helps move Northern Ireland forward.

The inquest system was not designed to deal with highly-complex often linked cases involving large amounts of highly-sensitive material.

The Office of Police Ombudsman has to deal with historical allegations of misconduct rather than focusing on cases today.

The PSNI has to devote substantial resources to dealing with legacy cases when I know that they would prefer that it be spent on policing the present.

And taken as a whole, I recognise concerns that the current mechanisms focus disproportionately on cases involving, or allegedly involving, the state.

As a result leaving many victims of terrorism feeling ignored.

None of this is to criticise any individuals, not least the police and prosecuting authorities, all of whom uphold the law independently of government.

I support them in their difficult work.

Rather it is a recognition, which is widely accepted, that we need new and better structures for addressing these issues.

The status quo is not sustainable.

The Government has a duty to seek better outcomes for victims and survivors.

And we need legally robust mechanisms that enable us to comply with our international obligations to investigate criminal allegations.

The [Stormont House Agreement] was arrived at in December 2014 following eleven weeks of intensive cross party talks with the UK Government, the five largest parties in the Northern Ireland Assembly and the Irish Government on matters falling within their responsibility.

The Agreement contained the most far reaching set of proposals yet for addressing the legacy of Northern Ireland's troubled past ... the Historical Investigations Unit, the Independent Commission for Information Retrieval, the Implementation and Reconciliation Group, and an Oral History Archive.

A number of different options were discussed during those talks.

Amnesties were quickly dismissed by all the participants and are not the policy of this Government. We believe that the so called legacy bodies set out in the Stormont House Agreement continue to provide the most effective way to make progress on this hugely sensitive but hugely important issue.

Delivering the Stormont House Agreement, including the legacy bodies, and also reforming legacy inquests was a key Northern Ireland manifesto pledge for the Conservative Government at the last election. And we remain committed to this.

But in doing that I am also committed to the need to ensure that former soldiers and police officers are not unfairly treated or disproportionately investigated.

That is why any legislation we bring forward will explicitly set out that all of these bodies, including the Historical Investigations Unit (HIU), will be under legal obligations to operate in ways that are fair, balanced and crucially proportionate.

Terrorists were responsible for 90 per cent of all deaths in the troubles and any investigative processes have to reflect that.

Its caseload will also contain some of the most notorious atrocities resulting in the deaths of our Armed Forces, such as at Warrenpoint in 1979 and Ballygawley in 1988.

The HIU will look at cases in chronological order, meaning that it will be unable to prioritise cases involving the state above those involving terrorists.

Any legislation establishing the HIU would include specific tests which must be met in order that a previously completed case is reopened for investigation.

This will mean specifically that new and credible evidence that was not previously available to the authorities is needed before the HIU will re-open any closed case.

We are looking at ways of ensuring that where prosecutions do take place terrorists are not treated more favourably than former soldiers and police officers.

And the bodies will be time limited to five years, ensuring that this process will not be open ended thereby helping Northern Ireland to move forward.

Mr Speaker, turning the Stormont House Agreement into detailed legislation has been and continues to be a long and necessarily complex process.

But a great deal of progress has been made in building the consensus necessary to bring legislation before this House.

And I believe that with hard work on all sides the outstanding areas of disagreement are bridgeable. In September, I signalled my intention to move the process to a more public phase.

I had hoped that this would have taken place by now, but a continuing lack of consensus and then the political situation at Stormont have delayed that from happening.

But I remain committed to giving the public a say on these proposed bodies – and to building confidence in them from across the community.

So I want to take that forward as soon as possible after the Northern Ireland Assembly election a week today, so that we can make progress quickly.

But any approach to the past must be fair, balanced and proportionate.

It must have victims and survivors at its heart.

And it must be consistent with our obligations to those who served and in too many cases sacrificed so much to bring about the relative peace and stability that Northern Ireland enjoys today.

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## [News story: Tail rota footage from MCA helicopter crew on training flight](#)

From:

First published:

23 February 2017

Part of:

Footage taken by MCA crew during a training flight

Here's something a little bit different for all our aviation buffs out there! We're all a wee bit impressed with these epic cloud surfing views taken from a tail rotor cam on the UK Coastguard search and rescue helicopter based at Inverness during a recent training exercise. Enjoy the new view from one of the best offices in the world!

[Inverness crew on training flight](#)

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## [Press release: Housing starts hit 9-year high](#)

The number of new build homes that have started to be built continued to rise last year to the highest level since 2007, figures released today (23 February 2017) show.

The [latest house building data](#) shows that 153,370 new homes were started in the year to December, up 5% on the previous year.

More than 140,500 homes were completed in the year to December 2016.

Meanwhile, figures from the Council of Mortgage Lenders show first-time buyer lending totalled 338,900 loans in 2016, up 8% on last year.

Housing and Planning Minister Gavin Barwell said:

We've got the country building again with the highest number of housing starts for 9 years. However, we know there's more to be done to build more homes in the places that people want to live.

Our housing white paper sets out an ambitious set of proposals to deliver more land, speed up build out, diversify the housing market, and support people who need help now.

The figures also show strong growth across the country with Islington and Manchester experiencing high levels of starts in the year to December 2016, with an annual increase of 296% and 323% respectively.

Reforms in the recently published [housing white paper](#) set out the government's bold new plans to fix the broken housing market and build more homes across England.

The 4 key aspects of the paper set out new measures to ensure the housing market works for everyone, and help local authorities, developers and SME builders get building.

Building more homes is an absolute priority, which is why the government plans to invest £25 billion in housing over the Spending Review.

£1.4 billion of funding has been released for Affordable Housing, and restrictions on funding have been relaxed so providers can build a range of homes including for Affordable Rent and Rent to Buy which help people save for a deposit before they buy.

The [House building: December quarter 2016 England statistics](#) record the

number of new build homes completed and started during the quarter October to December. It uses data sourced from building control officers at local authorities, the National House Building Council and independent inspectors.

According to the [Council of Mortgage Lenders](#), the number of first-time buyers in December 2016 is up 8% year on year.

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## [Press release: Review of the National Heritage Memorial Fund and Heritage Lottery Fund launched](#)

From:

First published:

23 February 2017

The Government has today launched a call for evidence on the roles and responsibilities of the National Heritage Memorial Fund (NHMF) and Heritage Lottery Fund (HLF).

It forms part of a review on how the organisations carry out their roles in supporting the heritage sector and how HLF operates in distributing National Lottery funding to heritage projects across the UK.

It will also consider how NHMF and HLF engage with the public and work with partners across the country.

Heritage, natural environment and other cultural organisations, as well as members of the public, are invited to submit their views over the next six weeks.

Every government-sponsored public body is reviewed at least once in each Parliament to ensure it is fit for purpose and provides good value for money.

The National Heritage Memorial Fund review Challenge Panel, made up of stakeholders and experts in the sector, is chaired by DCMS Non-Executive Director Charles Alexander. The review is expected to be completed in summer 2017.

### **Notes to editors:**

1. The call for evidence for the National Heritage Memorial Fund tailored review will be open for six weeks, from today until 06/04/2017. More

information, including how to take part in the online call for evidence can be found [here](#).

2. A Challenge Panel made of external experts and stakeholders has also been set up to look at the scope, methodology and conclusions of the National Heritage Memorial Fund review. This will be chaired by Charles Alexander, lead Non-Executive Director of DCMS with a background in international finance.
3. Tailored reviews are part of the Government's Public Body Transformation Programme, and look at the effectiveness, efficiency and good governance of public bodies.
4. The National Heritage Memorial Fund (NHMF) was set up in 1980 to save the most outstanding parts of our heritage at risk of loss to the nation, as a memorial to those who have given their lives for the UK. NHMF, operating as the Heritage Lottery Fund, also distributes money from the National Lottery to help people across the UK to explore, enjoy and protect the heritage they care about.
5. The Terms of Reference for the Review are attached.

Media enquiries – please contact the DCMS News and Communications team on 020 7211 2210.

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## **Statement to Parliament: Prison governor empowerment and accountability**

I have today introduced the Prisons and Courts Bill, which will create a new statutory framework to support the Government's plans to make prisons places of safety and reform. The measures in the Bill are a vital part of the wider structural reforms announced in the Prison Safety and Reform white paper published on 3 November 2016.

### **The right framework and standards for improvement**

In the white paper we committed to reforming how the prison system is structured in order to make lines of accountability clear and create sharper and more transparent scrutiny.



To deliver this, the Prisons and Courts Bill will enshrine in statute the purpose of prison, setting out for the first time that reform of offenders is a key aim for prisons. The Bill makes clear how the Secretary of State for Justice will account to Parliament for progress in reforming offenders.

The Bill also provides strengthened powers to Her Majesty's Inspectorate of Prisons, including enabling the Chief Inspector to trigger an urgent response from the Secretary of State where they have significant concerns about a particular prison that need to be addressed as a matter of urgency. It puts the Prisons and Probation Ombudsman on a statutory footing, giving them greater permanence and powers.

The white paper set out how this new framework will be underpinned by new standards, a new commissioning structure and new powers for governors. This will create a more focused prison system where governors are clear what they need to deliver and are empowered to do so.

To deliver this, we will create new, 3 year performance agreements signed by the Secretary of State and the governor of each prison. The agreements will be phased in over the next two years: the first third of prisons will sign the new agreements on 1 April, with the other two thirds moving to this approach by 1 April 2019. The agreements will include the following standards, based on the aims for prisons set out in the Bill, which governors will be held to account for:

- Protecting the public. We will do this by measuring, from April 2017:

- The number of escapes from closed prisons;
- The number of absconds from open prisons; and
- Compliance with key security processes such as searching.

- Reforming offenders. We will do this by measuring:

- Time spent out of cell, starting from April 2017 in the prisons where the technology to track this has been introduced;
- Progress made in getting offenders off drugs. Prisoners will be tested on entry and exit with a phased roll out beginning in 2017;
- Progress made in health, starting with a measure of medical appointments attended by prisoners starting in England from April 2017;
- Progress made in maths and English, starting with qualifications gained from April 2017 and introducing testing on entry and exit in the longer term; and
- Progress in maintaining or developing family relationships. This will be a new measure which we are currently developing.

- Preparing prisoners for life on release. We will do this by measuring, from April 2017:

–Rate of prisoners being released to suitable accommodation;  
–Rates of sustainable employment, including apprenticeships, and education in the period following release.

- Improving safety. We will do this by measuring, from April 2017:

–Assaults on prison staff and prisoners;  
–Disorder and self-harm; and  
–Staff and prisoner perceptions of safety.

We want the public to understand what progress is being made in our prisons, so we will publish data setting out how prisons are performing. We will collect the data from April 2017 and begin publishing official statistics regularly from October 2017.

To support delivery of these reforms on the ground, on 1 April we are creating a new, operationally-focused executive agency, Her Majesty's Prison and Probation Service, which will be responsible for all operations across prison and probation and will refocus headquarters on supporting, not micro-managing, governors. The Secretary of State will set standards, commission services, and hold them to account.

## **Empowering governors to deliver**

If we are to hold governors to account for meeting this new standards, they must be given the power to deliver change. We are devolving key operational policies to give governors greater flexibility, and have already cancelled 101 policies to help reduce bureaucracy for prisons. We will also remove current restrictions so that from 1 April 2017, governors have the freedom to:

- Design their regime to meet local delivery needs and target training and work in prisons to match the local labour market. Prisoners could, for example, work shift patterns to deliver new commercial contracts. This would help them to meet the standards to reform offenders and prepare prisoners for life on release.
- Decide their workforce strategy, including their staffing structure, to support meeting the standards. They could bring in specialists to work with particular types of prisoners, and tailor their staffing to support the prison regime they have designed.
- Control how they spend their resource budget. They could choose, for example, to pay for increased dedicated police officer time to reduce criminal activity in prison to improve safety and protect the public.
- Plan and take decisions about health services jointly with local health commissioners, through a co-commissioning framework.

Over the coming months, we will build on these essential freedoms even further by giving governors additional scope to:

- Decide what education opportunities they offer. Over 2017 and 2018, we will give governors control of the education budget, so that they can overhaul education and training to match the skills and qualifications prisoners need in the local labour market.
- Control how family support services work. From autumn 2017, governors will control budgets for family services, like visitors' centres and parenting skills classes, so they can choose the right way to support family relationships.
- Have more say on the goods and services in their prison. As each national contract ends, for example on food or equipment, we will determine how to devolve responsibility to governors.

This process of devolution and deregulation is being supported by learning from the work of the six reform prisons. These prisons will continue to explore and identify options for devolution across the estate as wider reforms are implemented. We have commissioned a formal evaluation to support this with regular feedback being provided to inform policy development ahead of the final report in early 2018.

These reforms are major changes that will result in sustained improvement over a decade. By the end of this Parliament this strategy will have delivered much needed new facilities, empowered governors and introduced modern technology to improve regimes, support reform and combat security threats.