

Backbench Business Committee

Representations: Backbench Business

Tuesday 28 June 2022

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Watch the meeting

Members present: Ian Mearns (Chair); Bob Blackman; Patricia Gibson; Chris Green; Jerome Mayhew; Nigel Mills.

Questions 1 - 26

Representations made

I: Dan Carden and Daisy Cooper

II: Jim Shannon

Written evidence:

– [Add names of witnesses and hyperlink to submissions]



Dan Carden and **Daisy Cooper** made representations.

Q1 **Chair:** Good afternoon and welcome, everyone. We have two applications in front of us this afternoon. The first is to be introduced by Dan Carden MP and Daisy Cooper MP. The subject of their application is guaranteeing the right to maintain contact in care settings.

Dan Carden: Thank you, Mr Mearns. I am grateful to the Committee for giving time to consider the application. This issue has run since the beginning of the pandemic. I believe the last debate held on access to family members and loved ones in care homes, hospitals and other care settings was in November 2020.

Since then, I have worked closely with organisations such as Rights for Residents, John's Campaign and the Relatives and Residents Association. In March, we held a very powerful, well-attended event in Portcullis House, to hear some of the horror stories of people who had been denied visits from their family at the end of life, and people who lost loved ones without being able to say goodbye.

We all know from news coverage and our constituencies the impact and trauma that has left for families up and down the country. Some political developments since include the Scottish Government saying they will introduce a legal right to allow care home visits in the National Care Service (Scotland) Bill.

The Government have issued guidance in England to allow visits, but unfortunately that differs across organisations. There is such a different array of providers in the care home sector and other parts of health provision that the guidance does not guarantee family members the right. Care homes are still able to require testing and advance notice before visits. They are still legally allowed to deny people visits to their loved ones.

I am keen to get a full debate on this. It has wide cross-party support. I look forward to any questions you have got for me or Daisy.

Q2 **Chair:** Daisy, anything to add?

Daisy Cooper: Just that you will see from the application that there is considerable interest from Members across the House, and there is a real urgency to this debate. A number of people who are frustrated about this issue have loved ones who are at end of life. For some of them, it will be too late; for others, it is not. It is utterly heartbreaking, as a constituency MP, to hear stories of people who cannot see their loved ones, hold their hands, brush their hair. Those people are already struggling with the system and need somebody to speak up for them. There is a real urgency to this for those currently struggling with care homes and care settings.

Q3 **Bob Blackman:** Obviously, this application meets all our criteria in terms of speakers, as it is heavily over-subscribed. Two things, therefore, apply.



HOUSE OF COMMONS

Chamber time is extremely hard to come by—we have a queue of applications—but there is potential for getting a three-hour debate in Westminster Hall on a Thursday, if you are willing to take that. That means you will likely get a debate before the summer recess.

Obviously, the Committee will decide later. It is unlikely that you will get time in the Chamber before the summer recess. So, urgency versus getting the debate is one issue. Would you accept a Westminster Hall debate, if it is offered?

The second issue is that I get the feeling that you want to change the law on this. In that case, why no divisible motion, to encourage the Government to change the law, to achieve what you wish?

Dan Carden: To take the second point first, it would be possible to have a votable motion on this. We are looking to get a legal right for visitors to people in care settings, as Scotland is looking to do. Perhaps that is something we could look into and come back to the Committee on.

The question of Chamber time versus Westminster Hall is difficult. A lot of campaigning organisations would want to see this debated in the House of Commons, and would feel that that is the appropriate place for it, because of the importance of the issue. Again, that might need some consideration.

Q4 **Bob Blackman:** Westminster Hall is part of the House of Commons. One thing we try to do is facilitate debate, obviously, and decision making. The other issue is that if you had a Westminster Hall debate, did not get the answers you wanted and then wanted to come back later for a Chamber debate, with a votable motion, I am sure the Committee would look sympathetically at that. That might be a way you could approach this.

Daisy Cooper: If I might add to what Dan said, my sense has been that the campaign to date has been one of trying to encourage the Government to bring forward their own secondary legislation on this issue. Because this issue is so sensitive, and so stark for so many people, the strategy has been to try to encourage the Government, and to engage with Ministers. That is why there has not been a divisible motion to date. I think we are now at the stage where we will be prepared to put a divisible motion forward.

On the issue of a Westminster Hall debate, my personal view is that we would obviously prefer to have it on the Floor of the House in the Chamber, if we could. But given where we are at and the potential risks of another covid wave in the autumn, that may mean that some of these restrictions are enforced more heavily in the autumn. My personal view is that we try to get the debate as soon as possible this side of the summer, with a view to getting a commitment from the Government to bring forward that secondary legislation ASAP in the autumn.

Q5 **Chris Green:** I think you have addressed the principal point that I had. There are all sorts of concerns and questions over management, staffing levels, resources and funding more broadly. One of the key aspects is that, if this autumn and winter there is another strain or variant, what approach must or should the system take, and what lessons are learned?



Daisy Cooper: One thing I would say is that we talk about the concept of the essential care giver. What has been clear to me, from my constituents in particular, is that essential care givers take way more care, because they have to, in going to see their loved ones than perhaps paid carers. That's not because paid carers are doing anything wrong, but they are often going in and out of different care homes. For essential care givers, these are their loved ones. Everybody is going to take every precaution possible to look after their mum, dad or friend, whoever it might be.

In terms of lessons learned, what we saw under the first lockdown was that there were not enough protections, in our view, for people in care homes. Under the second one, they effectively became prisons and people died in horrific circumstances, because they could not get the love and care they needed from their closest people.

Q6 **Patricia Gibson:** I would make the obvious point, when you are deciding whether to go to the Chamber or Westminster Hall, that if it is in Westminster Hall, you will not have a votable motion in that forum. It has to be in the Chamber for that.

Dan Carden: Daisy's point, about the risks we face should there be another upturn in the virus come autumn, makes having this debate before the summer recess imperative. We will take the Committee's guidance on whether that is possible for a shorter debate in the Chamber or in Westminster Hall.

Chair: The good thing about Westminster Hall is that you will get three hours, whereas in the Chamber, because of urgent questions and statements, time is quite often concertinaed down to two hours and 90 minutes. Given the number of speakers you have, you will get a good airing in Westminster Hall with a three-hour debate. Of course, like in the Chamber, Ministers have to respond to the debate in Westminster Hall, allowing us to hear what their thinking is. Conversely, if you want a votable motion to ask the Government to do something, that would have to be in the Chamber.

It is a live application. Consider what you want to do. It is application that will go green on our list, but it will go green and be added to 15 others, which are already there for Chamber time. You have to think about that. Obviously, a votable motion moves it slightly up the pecking order, as opposed to general debate applications that we have on the stocks. Thank you very much indeed.

Jim Shannon made representations.

Q7 **Chair:** I am not sure we have seen this gentleman before. Is it Mr Jim Shannon? Good afternoon, Jim, and welcome. This is an application on the use of blasphemy laws and allegations in Commonwealth countries. Over to you, Jim.

Jim Shannon: Thank you, Chairman, and Committee members. This matter has come up through the APPG on a number of occasions. It came up through the APPG's visit to Pakistan back in September 2018. We are



HOUSE OF COMMONS

hoping to return to Pakistan again in September or October of this year to see where things are and to catch up on some of the issues that we are interested in, which is the persecution of Christians and other ethnic minorities in Pakistan.

Many countries across the world have very strict blasphemy laws. If you can bear with me one second, I will give an example of what happened in Pakistan back in 2018. We had an opportunity to meet two of the three judges who were going to make a decision on Asia Bibi. She was a girl who was wrongly charged with blasphemy. We had confidential meetings with them. Mark Field was the Minister here. When we came home, we had a talk with him. We did not tell anybody what the discussions were. We felt that they needed to understand that the blasphemy laws were being used in a malicious, vindictive and very secular way.

Interestingly enough, the two of the three judges we met made the decision—it was unanimous; the one we didn't meet also made the same decision—that Asia Bibi was not guilty of any blasphemy law.

I make that point because we are not in the business of telling countries what they do or what their laws should be, but we are very conscious that when it comes to blasphemy laws, there are countries where blasphemy laws are used vindictively, specifically and secularly against people.

I was in Nigeria with the APPG back just about three weeks ago. Nigerian school student Deborah Samuel was murdered. That was a live case just before we went out. That wee girl was accused of blasphemy. There was absolutely no evidential base to prove that she was guilty of blasphemy. It was a vindictive, secular and malicious comment, which ultimately led to her death.

The head of the Humanists in Nigeria is Mubarak Bala. When we were in Nigeria, we spoke to the Justice Minister and others to put forward the case for his 24-year sentence to be reduced. We cannot go into too much detail.

I use those three examples, but there are hundreds of cases of the misuse of blasphemy laws being used to target religious or belief groups. Some people in countries that prosecute for blasphemy feel that they can use that in a way to carry out their own punishment against people. That seems to focus disproportionately on Christians and other ethnic groups.

We then have vigilantism on behalf of some extremists and the general sentencing and persecution of religious or belief minorities in a given country. Blasphemy laws exist in 69 countries. In most of those cases, blasphemy is punishable by death.

It is therefore timely to have a debate on the use of blasphemy laws and the impact that they have on religious and belief minorities. I thank you, Chair, for letting me come forward. It is time to address this issue. We want to address it in a sensitive way that focuses on what is happening with blasphemy laws and how they are misused, to ensure that what is



HOUSE OF COMMONS

happening against some of those who are wrongly convicted—there are many—can be elevated here for debate; and at the same time we can ask the Minister responsible to look at it as well.

Q8 **Chair:** I take it the FCDO would be answering.

Jim Shannon: It would be, aye. It would probably be Vicky Ford or James Cleverly.

Q9 **Chair:** I noticed on the application you have only got one Government Member.

Jim Shannon: Yes. I only noticed that today. It is my fault. I asked the girls in the office to look after that, because it was done when I was busy. I have asked them to forward other Members and to do that as soon as they can. She has just texted me back there; I was just sitting reading it there now. I will get her to make sure those names are added.

Q10 **Chair:** Okay.

Jim Shannon: Apologies. If I had done it myself, I would have gone round the Chamber and got them—it is very easy to talk to a captive audience, but it is a wee bit harder to get somebody on Zoom all the time.

Q11 **Chris Green:** Just on a point of clarification, you are looking at this specifically in the context of Commonwealth countries. Is the Commonwealth actively engaged in this area? Is that why you've chosen to pitch it in this way?

Jim Shannon: I think the countries that we would be aware of are those in the Commonwealth, and we feel there is maybe a way of doing this in a way that can make an impact in those countries. We are aware of blasphemy cases in Nigeria, Pakistan and other countries that are all in the Commonwealth, so when we thought about how we would word it correctly the first time round, we felt it would be more specific to focus on the Commonwealth countries. Hopefully that answers the question.

By the way, there is one Conservative Member who is not down on the application, and that is Fiona Bruce. She should have been down, so I can add her name.

Q12 **Jerome Mayhew:** You talk in your application of the 69 countries that currently have blasphemy laws, or had them in 2019. One of the examples you gave goes back to 2008, which is something you will have been familiar with for a number of years. Does the evidence show this is a developing situation? Are more countries being added to the list each year, or is it stable? What's the direction of travel for blasphemy laws?

Jim Shannon: I would love to be able to tell you, Jerome, that it's decreasing. It's not. I will probably mention this if I get the chance to have the debate, but the very nature of society is becoming more radical. I always try to put forward my point of view in a respectful way, so that someone with a totally different view does not feel upset or aggrieved. Unfortunately, in society today, more people are using blasphemy laws as a method of silencing people, even though there may be little or no



evidential basis to prove it.

Wee Deborah Samuel in Nigeria was an example of where vigilantism took over from the law of the land. We're not happy with the blasphemy law in Nigeria, and we brought that to the attention of the Ministers. Again, if I can use the example of Nigeria, while the blasphemy law does not suggest that it should not be used maliciously, those with radical beliefs in that country are using it more as a way of silencing the public. I was there only three to four weeks ago, and that is just an example of where things are.

When we return to Pakistan, I suspect we will not find ourselves much further on. Again, I am not predicting what will happen when we get there at the end of September, beginning of October, if God spares us, but I think society and the world is changing. So the answer is unfortunately yes.

Q13 Jerome Mayhew: You talk about ethnic and religious minorities. Is that shorthand for Christianity? Is this overwhelmingly focused against Christians, or is there evidence of other minority religious communities being targeted with blasphemy prosecutions?

Jim Shannon: It is probably predominantly Christians, but it's not just Christians. There are some people charged with blasphemy in Pakistan from a minor, smaller Muslim sect. So they are not necessarily always Christians, but in most cases they are. You know where I come from on this, Jerome, Mr Chairman and Committee members—it's quite clear. The APPG speaks up for those with the Christian belief, those with other beliefs and those with no belief. The humanist in Nigeria who we are speaking for is an example. We met the Minister and the Department when we were in Nigeria to make the case for him. We were quietly confident that his years will be reduced, if I can say that—maybe I shouldn't say it; I am conscious that there are certain things that I maybe can't say. But that is an example of where it was used in a certain way.

We have to try and change those things, and I want to highlight that. I am very conscious as well that when we highlight it, that has to be done in a sensitive way. We are not telling countries what to do or telling people how to live, but we have to make sure these laws are not used in a malicious, vindictive, secular way that focuses on people without any evidential basis. That's the issue.

Q14 Chair: I am wondering, because the title is specific about Commonwealth countries and you state in the application that 69 countries have blasphemy laws with blasphemy "punishable by death in six", how many of those 69 are Commonwealth countries?

Jim Shannon: I stand to be corrected if I am wrong, but my understanding is that they are all Commonwealth countries.

Q15 Chair: There are many countries in Africa, for instance, which are former French, Belgian or German colonies—

Jerome Mayhew: Saudi Arabia.

Chair: Yes, in the Middle East as well—countries that are not part of the



HOUSE OF COMMONS

Commonwealth but which have blasphemy laws. Will it include other countries outside the Commonwealth that have blasphemy laws?

Jim Shannon: There definitely are, yes. Saudi Arabia would be one of those.

Chair: Of the 69 countries, I am trying to get straight in my head how many of them are actually part of the Commonwealth.

Q16 **Patricia Gibson:** I was wondering whether you were focusing on the Commonwealth, Jim, because you feel that is where the UK might exert most influence?

Jim Shannon: That is exactly what we were thinking. Sometimes in the political world you look for the big thing you can get, but then you realise that maybe that is not achievable. What is achievable is the influence in the Commonwealth countries, because we think that we can use our position as it is the Commonwealth of the United Kingdom, of course, and we might be able to have an influence in a better and more productive way. That is really what we are after. It is a bigger issue, but we will focus on that.

Chair: Thanks, Jim. As we said at the outset, you have now added a second—

Jim Shannon: As I am sitting here, it is Sir Edward Leigh and Fiona Bruce.

Chair: That changes the balance.

Jim Shannon: If I had been doing it face to face, I would have had them all, but unfortunately I just have not had the time.

Q17 **Chair:** I trust that you would be happy to take a Westminster Hall slot for this application.

Jim Shannon: Absolutely. I leave it in your hands: you always know best, and your Committee knows best. I will go with whatever you indicate to me to do.

Chair: That is much appreciated, Jim. Thank you very much.