

Northern Ireland Affairs Committee

Oral evidence: Work of the Secretary of State for Northern Ireland, HC 359

Monday 23 June 2025

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Members present: Tonia Antoniazzi (Chair); Chris Bloore; Claire Hanna; Simon Hoare; Katrina Murray; Dr Al Pinkerton; Gavin Robinson; David Smith.

Questions 58-131

Witnesses

I: Rt Hon Hilary Benn MP, Secretary of State for Northern Ireland, Fleur Anderson MP, Parliamentary Under-Secretary of State for Northern Ireland, Julie Harrison, Permanent Secretary at the Northern Ireland Office and Fleur Johnson, Windsor Framework Director, Cabinet Office

Examination of witnesses

Witnesses: Rt Hon Hilary Benn, Fleur Anderson, Julie Harrison and Fleur Johnson.

Chair: Welcome to the Northern Ireland Affairs Committee. In today's session, we are questioning the Secretary of State on the work of the Department. Welcome. Can we start by you giving your full titles and names, please?

Hilary Benn: Yes, my name is Hilary Benn. I am the Secretary of State for Northern Ireland.

Fleur Anderson: I am Fleur Anderson. I am the Parliamentary Under-Secretary of State for Northern Ireland.

Julie Harrison: I am Julie Harrison. I am the permanent secretary at the Northern Ireland Office.

Fleur Johnson: I am Fleur Johnson, the director of the Windsor taskforce in the Cabinet Office.

Q58 **Chair:** Thank you. Secretary of State, what are your reflections on the spending review settlement for Northern Ireland?

Hilary Benn: It was a pretty good outcome, really: a record settlement, a real-terms increase over the three years and a multi-year settlement that



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allows the Executive to plan more than it has been able to in the recent past. I was very struck by the fact that the Finance Minister, John O'Dowd, said, "My agreement with Treasury has avoided the financial cliff edge I have warned of". The Committee will have been well aware that a lot of people in months gone by said that we were looking at a financial cliff edge; well, that is not the case any more.

There was also £130 million for additional security funding for the PSNI, and there have obviously been some developments over the weekend in relation to that, as well as £30 million for innovation coming to Northern Ireland, confirmation of a lot of other funds that I will not go into, regarding the city and growth deals, and, of course, £50 million of financial transaction capital funding to help move the Casement project on. I think it has been welcomed reasonably across the piece in Northern Ireland.

Q59 Chair: One of the things we have been very interested in is the timeframe for the fiscal framework negotiations between the Treasury and Executive. When do you expect those to be concluded?

Hilary Benn: Well, I expect them to begin straight away, because that is what the Chief Secretary has said he is going to do. The honest answer is that it depends on their consideration of all of the issues that will be raised. That includes the Holtham review, which arrived fairly late in the day for the spending review process, and the question of Northern Ireland's Housing Executive borrowing powers; those are two things that are on the table.

The Government is committed—as was the previous Government—to having a fiscal framework. There is the interim one, and it will proceed at the pace that the two parties agree is appropriate, given the matters that they want to discuss. I do not have an end timetable to give to the Committee.

Q60 Chair: All right. Well, that is interesting. You brought up Professor Gerry Holtham's assessment of need, which, excluding agriculture, calculated an updated needs-based factor of 128% for Northern Ireland. Agriculture was not included, but can you envisage it being included in a future assessment of need?

Hilary Benn: For agriculture, the funding was ringfenced previously, then it was unringfenced. In agreeing the figure that the spending review has for funding for Northern Ireland, once again, it will be funded at more than the 124%, compared with what is being spent in the UK. That was identified by the Northern Ireland Fiscal Council. Obviously, the Holtham review came along—I have read the summary of it—and it is still being considered by officials in the Treasury. As far as I am aware, the Northern Ireland Fiscal Council has not yet opined on what it has to say. That is why I think it is right and proper that it is considered in the fiscal framework negotiations.

As you will recall, the Northern Ireland Fiscal Council said, "It could be 121%; it could be 127%. We will opt for 124% in the middle." Well, that is



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what is going to be met, and indeed slightly exceeded, over the course of the spending review, and that will be part of the negotiations. The position always was—I think I am quoting correctly—that if multiple independent sources come along and suggest that the figure should be different from what is currently applying, the Government have undertaken to consider that. That is what the fiscal framework negotiations will be for.

Q61 Gavin Robinson: Good afternoon to you all. Secretary of State, I want to ask you a couple of questions around the local growth fund, a successor programme to the UK shared prosperity fund. We understand from the spending review that the local growth fund will remain flat in terms of the money allocated in this financial year for UK shared prosperity. This year represents a 40% cut on last year, so a flat cash offer is a real-terms cut. Is that a good indication of Labour's commitment to the local growth fund?

Hilary Benn: I do not think you can look at the local growth fund in isolation from the other investment that the Government are making. That is why I referred to the £30 million that will be coming to Northern Ireland as part of UKRI innovation investment. The Government, as you know, had to make some really quite difficult decisions when we came in, given the black hole that we discovered, and that resulted in the reduction in UK SPF funding that is applying this year. It will be £138 million over the three years.

It will be a different programme because the UK SPF is coming to an end at the end of this year. We will be talking to MHCLG, which has the accounting officer responsibility. We will be talking to the Northern Ireland Executive about how most effectively to spend that, but on the other side, the Executive is getting a real-terms increase and a record settlement in its budget. I think you need to look at the funds in the round.

Q62 Gavin Robinson: Just focusing on the local growth fund, it is a 40% cut this year from last, and a real-terms cut for the next three years at £46 million, flatlining. The OBR has never stood over the £22 billion black hole, but that is for another day. Who is going to decide how this money is spent?

Hilary Benn: It is going to be a discussion between ourselves, MHCLG, which has the accounting officer responsibility, and the Executive.

Q63 Gavin Robinson: Who is going to decide how this money is spent?

Hilary Benn: It will be the result of those discussions.

Q64 Gavin Robinson: So who is going to decide how this money is spent?

Hilary Benn: It will be the result of the discussions. There are three parties—

Q65 Gavin Robinson: Is it a matter for the Northern Ireland Office, is it a matter for MHCLG, or is it a matter for the Northern Ireland Executive?

Hilary Benn: Sorry, I didn't catch the last bit of the question.

Q66 Gavin Robinson: Will the decision to be taken by the Northern Ireland

Executive? I suspect not. Will it be taken by the Northern Ireland Office? I suspect not. Or will the decision be taken by MHCLG?

Hilary Benn: It will be taken between the Northern Ireland Office and MHCLG, having talked to the Northern Ireland Executive.

Q67 **Gavin Robinson:** So MHCLG will consult with the NIO and the Northern Ireland Executive, but MHCLG will make the decision. Is that correct?

Hilary Benn: Well, in the end we will have to work out between us—I think we are still formally waiting for the settlement letter—how we are going to do this, but let's be quite clear: the £46 million over each of the three years is for Northern Ireland, to be spent in Northern Ireland.

Q68 **Gavin Robinson:** So we've got that, and we know that the money will be spent in Northern Ireland, but the decision will be taken by people outside of Northern Ireland and colleagues of yours. The question is how that sits with the Labour manifesto commitment that you would restore decision making on these structural funds to the elected representatives of Scotland, Wales and Northern Ireland respectively.

Hilary Benn: Well, that is the way that the spending review has turned out. I come back to my point about spending in the round. The Executive are going to have more money, and lots of decisions that they themselves need to make, but it is going to be a different programme from the one that was run, in effect, entirely by MHCLG previously, which will come to an end at the end of this year. I do not know whether Julie will—

Gavin Robinson: With respect, I do not think that the permanent secretary can answer a political question about your manifesto.

Hilary Benn: I have done my best to answer the political question.

Q69 **Gavin Robinson:** You are not restoring, as promised in the manifesto, decision making around the local growth fund or structural funds to the elected representatives of Northern Ireland. I can take that as a no.

Hilary Benn: They will have an important part to play in the way in which those decisions are made. But ultimately, as I have stressed now for the third time, the accounting officer responsibility does actually rest with MHCLG rather than with the Northern Ireland Executive.

Gavin Robinson: That is not the question.

Julie Harrison: On the more technical outworking of this, which will ultimately end up answering your question, we are working with MHCLG. For example, as you know, city and growth deals have a very particular mechanism in which the Executive has a big say. We do not yet know precisely how that will work. The principle is, of course, that we will work closely with the Executive and with MHCLG, but we do not know because we are working it through.

Q70 **Gavin Robinson:** In working it through, do we envisage a world in which you are able to honour the manifesto commitment that local politicians have restored decision making over these funds in Northern Ireland?



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Hilary Benn: Local politicians have a huge amount of decision making in Northern Ireland, but in answering your questions I have done my best to set out that, in the expenditure of that money, the accounting responsibility does not rest with the Executive but with MHCLG. That is why it is different.

Gavin Robinson: It is perfectly legitimate for Government to say, "We are changing structural funds." It is perfectly legitimate for Government to say, "We are retaining decision making over those funds." But it is also perfectly legitimate for this Committee to ask why the Labour Government are not honouring the manifesto pledge to restore decision making on this fund to the elected representatives of an area. But we have your answer, thank you.

Q71 **Chris Bloore:** Welcome, Secretary of State. I am nothing but consistent. In November, I asked you about Casement Park.

Hilary Benn: You did.

Chris Bloore: I am going to ask you about Casement Park again. In the spending review, £50 million has been identified from the UK Government for the project. However, there is still a significant gap between that contribution and that of all the other parties involved. It is excellent news, and still disappointing that we have missed out on being part of Euro 2028, but how do you envisage that gap being filled? Are you in talks with the other parties about how that will happen?

Hilary Benn: We went through a period where everyone was looking at the UK Government to say, "Well, are you going to make a contribution?" I met Gordon Lyons, the Communities Minister, and he said, "Are you going to make a contribution to Casement Park?" I said, "We will consider this as part of the spending review. If and when I am in a position to make such an announcement, I will." The Government did that in the spending review. It now takes the total sum available to just over £170 million.

There are two ways of proceeding. One is to find more resources from elsewhere. I think the onus is back on the Executive, whose project this is, dating from 2011. Its commitment to £62.5 million dates from then, and there is the Irish Government's contribution and what the GAA committed to—£50 million, as I recall—at the beginning. Either you find more money to get it towards the current assessed cost, or the nature of the design is scaled back to fit the funds that are available. Those are broadly the two choices, or some meeting point in between.

I do think that it gives quite an impetus to the project. The Executive has wanted to do this since 2011. There are particular reasons to do with planning that have made it difficult, and that has been significantly responsible for the delay. I would just point out that the current planning permission expires next summer, so if nothing starts and therefore the planning conditions are met, there will be further delay to have to go back and ask for more planning permission to renew it, which would not be good at all.



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FI would say two other things. First, the last Government raised a lot of expectations about Casement Park because of the Euros, and said repeatedly, "Don't worry, the money will be fine. It'll all be done." Nothing actually was done at all. We came in and, as I indicated when you asked me, we put a lot of time and effort very quickly into seeing whether it is possible. The conclusion that we came to is that even if you threw all the money you could at it, you could not guarantee that you would meet the deadline. It is no good building a stadium that does not meet the deadline for a major European competition.

Secondly, Windsor Park has been done, Ravenhill has been done, but Casement Park has not. Those are three great sporting traditions, and I want the people of Northern Ireland to be able to enjoy those three great sporting traditions in three stadia. That is why the Government have made the contribution.

Q72 Gavin Robinson: On the question of money for Casement, issues were raised privately between ourselves, and then publicly by others, about the nature of the allocation. Are you in a position to add some further detail today?

Hilary Benn: It is financial transaction capital. That means that the funding will go to the Executive and they will acquire an asset, namely a part share, in whatever is built. That is the way that financial transaction capital works. What we are doing is not alone; it is funds that can be put towards the building of the stadium.

Q73 Gavin Robinson: You described it to me as an equity grant, because it is an equity stake.

Hilary Benn: Yes, you would have an asset, and they would take an equity stake. That's right.

Q74 Gavin Robinson: Do the Executive have to accept that?

Hilary Benn: Have to accept what?

Q75 Gavin Robinson: The allocation of £50 million.

Hilary Benn: I would be astonished if the Executive did not accept it.

Q76 Gavin Robinson: Just as when we discussed this last week, that was not the question. My question is: do they have to accept it?

Hilary Benn: The Communities Minister looked at me, when I met him, and said, "Are you going to make a contribution?" I gave him the answer I have just indicated. The Government has now made a contribution. I cannot conceive of any circumstances in which the Executive would say, "No thanks very much."

Q77 Gavin Robinson: Thank you. Again, that is not an answer to the question.

Hilary Benn: Well, I cannot speak for the Executive. I find it a little hard to understand where the question is coming from. Why would they not want to accept it?



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Q78 **Gavin Robinson:** It is a simple question about the mechanics of this. The second question is whether the £50 million is additional?

Hilary Benn: Additional to?

Q79 **Gavin Robinson:** To the FTC limits that are allocated to the Northern Ireland Executive.

Hilary Benn: My understanding is that it is additional funding for the purposes of Casement.

Q80 **Gavin Robinson:** In the Blue Book there was a pictorial indication, in table form, of FTC for the Northern Ireland Executive over the next five years, and it has flatlined: £100 million per year for each of those five years. I wonder why there isn't an indication of an additional allocation of £50 million FTC.

Hilary Benn: I would need to go away and check. Has the Northern Ireland Executive been able to take up such financial transaction capital as has been offered to it previously? I do not know the answer to that. I will go away, check, and respond to the Committee, if I may.

Gavin Robinson: It is flat, so I think that whether it is additional or not is a fair question.

Hilary Benn: I take the point that you are making.

Gavin Robinson: Thank you.

Q81 **Claire Hanna:** On that last topic, the allocation is very good news. I warmly welcome it, and have urged the Executive to get moving, and to up their contribution, ideally in line with inflation, because the block grant has increased over the years in which Casement has failed to be built. I was disappointed to see last week, about a week after the CSR, that the Executive did not appear to have had any discussions about the project. Are you aware whether they have addressed it within the four-party coalition yet, since the new allocation was announced?

Hilary Benn: I am not aware; you would have to ask them that question. I have obviously spoken to lots of people about it, in making the argument that we should make a contribution. I know that there has been some comment on funding for other sports. The *Belfast Telegraph* had a very interesting piece that pointed out that since 2021 about £47 million of direct UK Government funding has gone to football, rugby and other sports and leisure facilities in Northern Ireland of which, insofar as one could identify, £1.1 million has gone to two GAA projects. So, if you are looking in the balance—

Claire Hanna: I can understand.

Hilary Benn: The fact is, looking backwards, there has been an underfunding, if you want to look at it that way. Some people want to look at it going forwards, but I think that it is perfectly reasonable. Given that all of that money has gone directly into sport and other leisure facilities in

Northern Ireland, it is right and proper for the Government to make the funding available that we have in the spending review.

Q82 Claire Hanna: As I say, I welcome it and I can understand that, for soccer in particular, there are very real concerns, and there was a wider package. Soccer is a sport that is enjoyed across the community, and across the region, and many facilities require upgrade. There is a deal to be done. I am just anxious that there has not been the urgency that I think sports fans of all sorts of codes would wish to see.

One more positive funding allocation from the Executive was the news over the weekend that they are funding the PSNI business case. Having the number of officers that Patten envisaged is crucial for all aspects of community life. But I am sure—or I hope—that you saw this morning the worrying reports that recruitment from people from a Catholic and nationalist background has dropped even further, with fewer than one in five recruits coming from that background. That is wildly out of whack, with the demographic and the age profile, for recruits to the police.

That obviously presents a real challenge in terms of the police service reflecting the community it serves, now and into the future. I have expressed concern about that for several months, and, I suppose, a wider lack of confidence in rule-of-law institutions. I think a lot of that is related to the failure to address legacy, and the use of PII and other mechanisms, which mean that most of what people hear about the police is the policing of the past and not their enormous work every day in the communities.

Would you support a meaningful review of our rule-of-law institutions that tries to get a serious grip on that—something that is emerging as a crisis in confidence in parts of the community? If fewer than one in five recruits come from a Catholic and nationalist background, I think that illustrates a very real lack of traction in parts of the community. I sense a lack of urgency, from across the political spectrum, towards addressing a growing problem that is going to, unfortunately, limit our ability to police the present, and police the future as well, if we do not get that right. Would you support an independent review to establish what is deterring people from a Catholic and nationalist background from joining the police?

Hilary Benn: I would say this in response to the important point you have raised. First, of course it is important that all police forces, including in Northern Ireland, reflect the populations that they serve. Secondly, it would be a matter for the Executive, the Department of Justice and the Policing Board to decide whether they wish to do that. I very much welcome the announcement over the weekend of what looks like additional funding, because I have had many conversations with the Chief Constable, and indeed the Minister of Justice, about the levels of funding for the PSNI. I note the commitment in the “Programme for Government” to work towards getting back to 7,500 officers; at the moment it is something like 6,200 or 6,300.

I would also, however, say this: a week and a bit ago, I met a group of very tired officers who told me how they had been facing the disorder in



Ballymena over a period of three nights. I met them on the Thursday morning, and they'd had to contend with three nights of the most serious disorder—petrol bombs, masonry, fireworks—and rubber bullets were fired and water cannon were deployed. That, to me, is the most recent image of the face of policing in Northern Ireland. I do not know which community those officers come from, but they did an extraordinary job in the face of wanton, mindless, racist thuggery that was trying—and did, in some cases—to burn people out of their homes. I hope that would shock everyone in Northern Ireland, apart from those who engaged in this kind of behaviour, and I hope that would encourage all people to give the fullest support to the PSNI as they do their job to try to keep people safe. I praise them for what they did.

Q83 Claire Hanna: And not just in Ballymena—in Derry as well. I share your revulsion at that, and I will always stand with the PSNI. I supported their recruitment campaign, and I have engaged directly with officers about that—as you say—thuggery and wanton disorder, and I will take every opportunity I can to support the police, including amplifying their campaign about the attacks that individual officers have experienced over recent years.

I do not think that is out of step with being concerned about the apparent lack of confidence across the community and wanting a review. We have had Patten in place for a reason—to ensure that the police service would reflect the population in all its diversity—and we are slipping further away from that. I believe that our failure to address legacy is at the core of that problem, but without urgent political attention across the spectrum, it will get away from us. I believe it belongs largely with the Executive, but I think everybody with an oversight duty for police in society in Northern Ireland should be aware of it.

We are also aware that, along with that disorder and issues around violence against women and girls and all sorts, paramilitarism is a real drain on PSNI resources. The conviction last month—I do not know if this is sub-judice; I do not think there is an appeal—of Winston Irvine was preceded by a number of references praising his publicly funded peacemaker work and was immediately followed by his acceptance on to a paramilitary wing in prison. That very vividly illustrates the mad merry-go-round of transition that most law-abiding people in Northern Ireland have long lost patience with. I am not pinning all that on you, but you will be aware that people are frustrated with this decades-long process of generously funding people in their metamorphosis from paramilitary leader to community leader without having to faff around getting a democratic mandate or anything like that.

I am aware that the NIO is developing a scoping exercise for this latest go at transition. What lessons can we learn from the last three decades of various transition exercises during which these people continued to recruit, repress and brand communities—and many people who were not even anywhere near adulthood at the end of the Troubles—and during which I suppose we had a longer period of transition than we had of active conflict? How do we ensure that the lessons from failed transition

processes are corrected and that these people are not rewarded for their intransigence?

Hilary Benn: What lesson do I draw from that? Many people say, and quite rightly, they should have left the stage a long time ago, but they have not, and they continue to oppress communities and engage in rampant criminality. It is for the forces of law and order to catch those responsible and bring them before the judicial process. It has done harm; I have heard stories that have really given me pause for thought about coercive control and violence that continues to happen to this day, and there was a report looking at the impact that paramilitarism has on women; sexual violence and all those things.

The IRC said in two reports that there should be an independent person to ask, "Is anyone actually serious about leaving the stage?" I know it is not a popular decision—and it has been roundly criticised by some people—but having talked to the Irish Government and considered it carefully, I think we should try it. I have no idea what the scoping report will produce, because you hear, on the one hand, people saying, "We are interested in walking off the stage", and we have to be very clear about what that means, which is ending recruitment and coercive control and all the indicators you can see. We are not giving anybody money to walk off the stage, but to ask an independent person to go and talk and see if there is anyone there who is serious about doing it, and what conclusions we can draw about whether some kind of transition process would work. I do not know what the answer is, but as I think I said to the House of Commons, it is worth giving it a go, because for all that everyone has said over almost 30 years or so—yes, of course they should have gone, but they have not.

Q84 Claire Hanna: We are coming from the same place here, and I can hear your frustration, and I respect that. I respect the people involved in the IRC and their attempt to address this. I believe—and I have set this out directly to them—that there are numerous actions in track one and track two around a societal approach and a criminal justice approach that have not adequately been tried. I am looking at the transition of, for example, the IRA when they were allowed to retain structures and assets, which has had a continuing effect on politics. I worry that others who are attempting or proposing to transition will ask for the same.

I have not heard from your Government, Dublin or others how we ensure that the Shangri-La approach that we have had to date is not just replicated with this latest round of people, who as I say, have had numerous opportunities to go off the stage—or at least to quietly stop recruiting—and have failed to do so. You have been in post for one year and were not in the driving seat for those decades, but I am not hearing from anybody that we have learned lessons on ensuring that, or that we are serious about the criminal justice aspects—the sticks, as well as the carrots. I am not hearing that any specific new initiatives will be brought into that process that have not been tried previously.



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Hilary Benn: The police and the criminal justice system are very serious about catching people engaged in criminality. You require the evidence to be able to do that. It is not about one or the other; if people are engaging in criminality, they should be pursued and if the evidence can be found they should be prosecuted and subject to due process. That is important. It is not about looking the other way while that is going on; it is judging people by their actions. That seems to be the test. I do not know the outcome of this process, but given where we are after all those years weighing it up, I thought let us see whether anything useful can come out of it. It may or may not, but it is worth trying, and that is why I took the decision.

Claire Hanna: I will finish here: I have made clear that it would not be my preferred action. We will engage with it as constructively as we can. I am not damning it and walking away from the consequences, but there are actions outlined in the track one and track two strategies that have not been fulfilled before we move to this part—contact is different from a formal transition process.

Q85 **Gavin Robinson:** Briefly, Secretary of State, I do not intend this as a combative question, and I agree with your condemnation of violence. As I am sure you are aware, I do not just say that publicly on the airwaves; I say it practically on the streets. I have been there at times to provide a positive voice, whenever I worry that things are going to go askew. You indicated knowledge of what was said at the weekend about funding for the Police Service of Northern Ireland, which I know you are not responsible for—hence the non-combative nature of my question. However, could you outline what you are aware of? As far as I can see, the only paper that has been submitted and talked of publicly and productively is £5 million additional for the PSNI, which would cover the cost of mutual aid and nothing else.

Hilary Benn: I have no greater knowledge than you or the other members of the Committee. I was referring to a clip I saw of the First Minister and what has been reported in the newspapers. Chair, you began the line of questioning by saying that there had been a development over the weekend. Assuming that the reporting of £200 million, which I presume would be based on a business case that the PSNI has put forward, is the case, and based on the fact that the Justice Minister is reported to have said that that could be a “game changer”, it is reasonable in those circumstances for me to comment favourably about what appears to be going on, but I have no insider knowledge above what I have just told the Committee.

Q86 **Gavin Robinson:** That is fair, but as far as I understand, in the June monitoring round process, there is a paper for £5 million for the cost of mutual aid and disorder. There would be a requirement for £5 million to £7 million in this financial year to start the recruitment process, but there is no paper or formal bid for those moneys. You are right that there is a notional agreement around the business case, but there are no allocations and no money lying behind it.



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Hilary Benn: I am aware of nothing beyond what I have told the Committee.

Q87 **Chair:** Thank you, Secretary of State. We have a session planned solely on legacy, although I want to bring up a few questions now. The Committee wrote to you about legacy and summarised some of the themes we have heard in our inquiry so far. What consideration have you given to the proposal to split the investigative and information retrieval functions of ICRIR into two separate firewalled bodies?

Hilary Benn: Thank you for the letter that you wrote to me. When I read it and looked back at some of your evidence sessions on the legacy question, it very much reflects what I have heard in all the numerous meetings I have had with party leaders, victims and survivors' groups, voluntary organisations, veterans and others.

I have been doing a great deal of listening. I noticed the comment that one or two people made, "We have been listened to, but we haven't been heard." I would just observe, how does anybody know whether they have been heard, when the Government's full proposals have not yet been published? I have been engaged in the same exercise that the Committee has been engaged in.

On your specific question, it is something that I am actively considering. It has been part of my discussions with the Irish Government. One of the many things I have said publicly is that it would be good to get back to the principles of the Stormont House agreement. One of the features of the Stormont House agreement was that it said, "We are going to have an investigative body over here, and we are going to have an information recovery and retrieval mechanism over here." I am currently looking at that, because we should look at all the means that might provide answers for those who have been waiting for them for so long. The thing about an information retrieval mechanism—it is a point that was made in evidence to you—is, how do you test what has been revealed in the form, say, of a protected disclosure? That too is something we are considering.

Q88 **Chair:** You said you have been listening. I appreciate what you said about how the legislation has not been published yet, so people do not know. I find that reassuring. Have you had any concerns raised with you about the plans to repeal and replace the 2023 Act from any other Government Departments?

Hilary Benn: The Government have a clear commitment to repealing and replacing the Legacy Act. It was in our manifesto and the King's Speech. Of course, we are talking across Whitehall in implementing that policy. I have set out pretty clearly what I am seeking to do: first, through the remedial order, finally putting an end to immunity, which has been struck down by the courts. The Government came into office opposed to that. Secondly, there is the restoration of civil cases. I set out in my statement to the House of Commons last December what I intended to do in part in relation to the reform of the independent commission. I understand the need to address when it is acting like an inquest, because that was part of

the Dillon judgment. I have said I will make sure there is proper representation for families and that I will make changes in relation to disclosure.

Going back to the point that Ms Hanna was making a moment ago to do with confidence in policing, we need to build confidence in the commission, because I took the decision not to abolish it and start again. I did not think that was sensible, because you would waste a lot of time, effort, energy and money to end up in, broadly speaking, the same place. I did not see the argument for doing that. There are those who are highly critical of that approach. In all the listening I have been undertaking, repeal is important but so is replace. What are you going to put there to try to deal with this continuing question that hangs like a dark cloud over Northern Ireland society, particularly over those families who still have not found answers? You have to replace it with something. I have been very interested in all those who have made suggestions about what could be done to improve the operation of the commission, to reform radically it, its governance and other aspects of the way in which it works. If we build confidence in the commission, more people are likely to use it. In the end, this all comes to down to, who do you trust to tell you what happened?

Q89 Chair: On that point, do you intend to strengthen the information disclosing mechanisms in place, both to and from ICRIR?

Hilary Benn: I do intend—I told the House of Commons this back in December—to change the disclosure arrangements, to make them more akin to what applies, say, in a public inquiry. That was the comment of the court in the Dillon judgment—it said it looks different. I am therefore looking at proposals to make it more akin so that that argument cannot be used to say that it is not compliant with the European convention on human rights.

But, in the end, national security is a responsibility that falls on the Government of the day. It is a responsibility that I take extremely seriously; the whole Government do. In each individual case and individual set of circumstances, it comes down to a balance, a dialogue and a discussion about how we get the maximum disclosure—which is my policy—consistent with the requirements of national security. That remains the case.

Q90 Chair: Will you extend the remit of ICRIR investigations to Troubles-related offences that occurred after 10 April '98?

Hilary Benn: The Government have no plans to do that because that is the cut-off date to which we have been working. Obviously, we have the Omagh inquiry, which relates to the appalling, shocking murder of so many people after that date. We are not proposing to do that because there would then be other cases. People would say, "Can you stretch it a bit further this way and that way?" I think we should confine it to where it has been set: the period of the Troubles, which applies to the way in which the independent commission operates currently.

Q91 Chair: One last thing: will primary legislation be introduced this autumn to

replace the Legacy Act?

Hilary Benn: We have started drafting. We need to get all the areas of policy agreed, and then everybody recognises the need to get the legislation published as quickly as possible—one reason, among many others, is that I am being asked, “What are you going to do?”

It is a very complex process because, basically, this Government are having to fix a truly rotten, awful piece of legislation known as the Legacy Act. It is quite something to come in and find that it is so bad that it is found to be incompatible with our international obligations in a number of different respects. That makes the task more challenging because you have to develop policy at the same time as the courts are opining on how the legislation is being applied.

The other thing I would point out is that the Dillon appeal is due to be heard in the middle of October. It is very important that the courts have as clear an idea as possible about the changes that we are going to make before they reach that, but it is always subject to parliamentary time being available.

Q92 **Gavin Robinson:** Secretary of State, I am disappointed to hear you rule out extending the timeframe for ICRIR, particularly for Omagh. There are other requests already there that go right up to 2005 and 2006. If there was unanimity of view across the political parties of Northern Ireland asking you to extend the ICRIR deadline from 10 April 1998 to 31 August 1998, would you consider it?

Hilary Benn: I am not aware that there is such unanimity.

Q93 **Gavin Robinson:** If there were, would you consider it?

Hilary Benn: That is a hypothetical question. There is not currently.

The second point is that there is a public inquiry going on. I am not quite clear why that argument is being put. What would the commission be meant to do in relation to the Omagh bombing while a public inquiry was being undertaken into the Omagh bombing?

Q94 **Gavin Robinson:** But, as you know, there are explorations around the extension of ICRIR into the southern jurisdiction. The Omagh bombing inquiry can look only at issues pertaining to UK state actors, UK state agencies and UK state authorities—nothing of the Republic of Ireland. If ICRIR were extended on a cross-jurisdictional basis, there would be merit and benefit.

Hilary Benn: I come back to my point. I do not see how you can have two different organisations investigating the same atrocity at the same time—genuinely. That is why there is a public inquiry and my predecessor, Chris Heaton-Harris, decided to announce it.

I would say that the memorandum of understanding that has been reached between the Irish Government and the Omagh inquiry is very significant indeed. It is unprecedented, and it commits the Irish



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Government to the provision of information. I welcome that, because I think it is very important. But of course, in my discussions with the Irish Government I am looking to see full co-operation with a reformed independent commission, because it is about not just about the Omagh inquiry but all the investigations that the commission will undertake. We are also discussing how, in the jurisdiction of Ireland, they are going to continue to investigate and look into Troubles-related cases, because there need to be reciprocal commitments.

I have noted the comments that some people have made about the memorandum of understanding, but in a historic context it is very significant, and that is why I welcomed it.

- Q95 **Gavin Robinson:** I think that is a shameful portrayal of what the memorandum of understanding represents. It can only allow the facilitation of information to answer questions as to whether the Omagh bombing could have been avoided because of the actions of UK state authorities. There is no introspection within the memorandum of understanding. It is in its terms of reference that it is only a UK inquiry. There is nothing on the Republic of Ireland's actions and nothing on their state authorities, the information they had or the steps they could take.

Although there is positivity around the memorandum of understanding—I recognise that it was progress—it is a deception to suggest that it can answer all the questions around Omagh, because the focus is only on this country, and not on the Republic of Ireland Government. All I was asking was whether, if the parties agreed to extend to August, you might consider that, and you have said no. But I think that is shameful.

Hilary Benn: No, I have said that it is a hypothetical question. I am not aware that that is their position currently. I would, with respect, reject the suggestion that the answer that I gave in relation to the memorandum of understanding is in some way shameful, because what information is the Irish Government going to provide? What is the purpose of the memorandum of understanding?

Now, if there was information and it had been passed, could it have prevented the bombing from taking place in the United Kingdom? Well, we will see how the MOU is operated in practice, but the fact that one has been reached is, in the historic context of the Troubles, a significant development. That is why I welcome it, and I don't think it is shameful to point that fact out.

- Q96 **Gavin Robinson:** It is shameful, because it is totally constrained by its terms of reference.

Hilary Benn: Well, we will agree to disagree on that.

- Q97 **Claire Hanna:** It is worth remembering, of course, that you are retrofitting because the inquiry was announced unilaterally, without that level of internationalisation and engagement with Dublin by the previous Government. I suppose it is backfilling the engagement with Dublin. I am not giving any account of the level of engagement, but do you understand



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the concern around Omagh, as with ICRIR, is that all the exposure, inquiry and engagement is ultimately rendered meaningless, based on the level of information that will be classified as sensitive and the level of redaction that will occur?

I understand the scope of the Omagh investigation and that it is sensitive, up until and including the impact on the UK economy. People are very concerned that, even with all the exploration and exposure, ultimately we will get another one of these blacked-out documents, due to your Department's veto, which withholds key information that could be of comfort to families.

Hilary Benn: I think we need to let the inquiry do its work and see what it finds and what report is published. One can speculate a great deal about what may or may not be in it. It has started its work. Today has been a very important day, as it has met to hear about the context of the bombing. We should note that. Let it do its work. That is why the public inquiry was established.

What I am trying to do, in relation to the independent commission, is make some changes, as I have already indicated to the Committee, to the way in which the disclosure operates. Most people recognise that some things cannot be disclosed—the way information is collected and sources. All those things are well understood by people. For reasons of national security, you would not want that to see the light of day. In the end, what families want is, "What happened? What is the story?" I am much struck by the occasion on which the former Prime Minister, David Cameron, stood up in the House of Commons to apologise for the "shocking levels of collusion"—I think I quote him correctly—in the murder of Patrick Finucane.

The reason I have ordered an inquiry is that the court found—and it is important to respect what it has said—that all the processes that went into looking into that particular murder did not meet the necessary article 2 threshold. The inquiry will now do its work. I announced very recently who will chair it and who the two assessors will be. Sir Gary will be meeting the family—it could be this week—to discuss the draft terms of reference.

Q98 **David Smith:** Secretary of State, Minister of State and guests—good to see you again. We have just been talking about specific cases and inquiries. I would like to stick with legacy but move to the different case of Sean Brown, which we have discussed before. You previously advised the family of Sean Brown to seek an investigation into his murder through ICRIR. I just wonder: do you acknowledge the Court of Appeal's recent finding that, at present, ICRIR is not able to deliver an ECHR article 2 compliant investigation, which is required of the state?

Hilary Benn: There are the incompatibilities, clearly, which the courts in Northern Ireland have found. However, I have made it quite clear, including to the House of Commons, that the Government intend to remedy those because of course for the commission to work, it will have to be compliant with article 2 and other articles. It has to be an ECHR compliant body.



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I have met the family, and I have carefully considered the case. It is an awful, awful case. The murder of Sean Brown was shocking and deeply violent. It has caused immense suffering to the family—to his widow, Bridie, and to the wider community, including the GAA family because of the role that he undertook. But I concluded that the commission, reformed, would be capable of looking into it.

There is an issue of principle here in respect of the court ruling. Up until this moment, the courts had accepted that it is for Governments to decide whether public inquiries are ordered, not for the courts. I am not a lawyer, but what the courts have tended to say is: "This is the test that has to be met. The way in which the Government choose to meet that test is a matter for Government to decide". I think the phrase "a margin of appreciation" is made available.

In this particular case, the court has decided to order a public inquiry. The Government are appealing—we are seeking leave to appeal to the Supreme Court—because of that fundamental principle, which is that courts do not order public inquiries; Governments do. That is very important. Because of the nature of the mandatory order, I am not able to do anything other than order a public inquiry, which I have made it clear the Government are not going to do, because we think there is another means of dealing with this case.

Secondly, there are five other cases in the same position, because inquests came to an end and the coroner said, "I think we need a public inquiry here." I just want to be frank with the Committee: people say the Sean Brown case is unique—well, all murders are unique and uniquely painful for the family—but it is not a unique case.

We are not going to deal with legacy by having a whole series of public inquiries. That is not a way forward. That is why we have to reform the commission to win public confidence and to make it ECHR compliant. That is so important because then you have a mechanism that can be used to deal with all of them. All of us—the Committee, the whole team here, everybody—need to be concerned about justice for everyone. That is why I have put so much time and effort into trying to get us to a place where we have a system for dealing with legacy that is capable of doing that.

I realise that my decision has come as a huge disappointment to the Brown family, but I said to them at the beginning that I think the commission is capable, and we will see what the courts decide and whether we get leave to appeal. That is the position we are in at the moment.

Q99 David Smith: Notwithstanding the principle about who gets to decide, the Court of Appeal said that your decision was based on advice from civil servants that was flawed. What would your response be to that?

Hilary Benn: I do not accept that. I have a simple policy as the Secretary of State: I am responsible for every decision that I take. I am given advice by a fantastic team of civil servants, who have worked so hard, not just on



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this case but in all the work in advising me on legacy. They are outstanding civil servants. If anyone wants to blame anybody, blame me—it's my job. But I stand by the decisions I have taken.

Q100 David Smith: Okay. I have a final question on this case. You have committed to ensuring that there is a full and thorough investigation into the case. Given that you have ruled out a public inquiry, do you intend to refer the case to a reformed ICRI, even if that is not the wish of the family?

Hilary Benn: In the end, as I have just said to the Committee, we are not going to deal with legacy with a whole series of public inquiries. There is not a menu to be offered: "Would you like one of those, or one of those?" We are doing all this work to try and create a body capable of delivering justice for all, information for all and answers for all. That is what I am trying to do.

At the moment, because of the incompatibilities that have been identified, I have not referred the case in because clearly there is a problem, but I intend to fix that. I believe that the commission would be the way to deal with that. I understand the position of the Brown family, but it is open to them to go to the commission today. The commission will start work on investigating.

The Committee will have noted the growing number of families who have gone to the commission. The commission has got over 60 investigations under way; they have had over 150 inquiries. They are a very dedicated team of people and they can get on with the work. Ultimately, it is for families themselves to decide at the moment. However, I notice that the Guildford pub bombing is one of the cases that has been referred to the commission; I noticed that the Kingsmill massacre has also been referred to it. Those are terrible, significant, appalling events in the history of the Troubles. If someone in those families thinks, "Well, let's go and see what the commission can do for us", I would encourage everyone to do the same.

Q101 Chair: I would just like to carry on the questioning. The judge said that the reason why the case of Sean Brown was unique was that over 25 individuals were involved, including state actors. That was why it was deemed to be unique. Obviously, we have had Chief Constable Boutcher in front of us as well, who has also spoken to us about the case, and it has been quite well documented.

To me, the Sean Brown case is unique, Secretary of State, and I just wondered what would happen if the family did not want to go through the system that you are going to change for the better. There were 56 pages of redactions—not one word was visible. I was so shocked, personally. I have brought this up privately with you, but is there any way that the advice that you are getting—whether through the lawyers you take advice from or in the conversations that you have with Chief Constable Boutcher, who was in charge of Kenova at the time—will change? Chief Constable Boutcher said there was no reason why the family could not have that

information.

Hilary Benn: If and when the Brown case gets to the commission, that will be a job for the commission to undertake. What is unique about the case, and you are absolutely right, is that the coroner decided to produce a gist in open court. We have just had the hearing in the Thompson appeal about gists in the Supreme Court and we await the verdict in that case; I do not know how long it will take.

Of course, it is unique to the family and it was unique that the coroner chose to do that. Other coroners might have sought to do that. In the Thompson case, the coroner said, "I would like to say the following in the form of a gist, but I want to check." That then became the lead case in the Supreme Court appeal that was heard recently. But what about all the other families? I point to the five other cases that have also come to a halt over sensitive material. I do not think one could argue that those five cases are any different, when it comes to a case coming to an end because of sensitive material. That is also a reason for reaching my decision.

The other point I will make is that the coronial system cannot deal with sensitive material. Some coroners have said, "Right, we're coming to a halt. I can't take it any further." Others have tried to bring the inquest to a conclusion, notwithstanding that, but the commission will have the ability to deal with closed material—sensitive material. That is another reform that we have to make, so that it can deal with all the stuff surrounding these many, many cases. I hope the number will increase because I hope more families will come forward.

I understand completely why the Brown family, in all their pain and suffering, feel that this case is unique. Of course it is unique to them, but there are lots of other people who have been through the same horrendous experience. We have to find a mechanism—a system—that is going to work for everybody. The courts will decide.

Q102 **Katrina Murray:** Secretary of State, you referred earlier to the importance of trust, and putting trust in the process. In the Committee's inquiry on legacy, we have asked what the various stakeholders see as the exemplar process that they would have trust in. It keeps coming back to the Kenova process. The Kenova interim report was published in February '24 and made a number of recommendations. Is there an intention for yourself to respond to the recommendations of that interim report?

Hilary Benn: I stand to be corrected, but I thought I had replied to Sir Iain Livingstone on the interim recommendations. I will double-check, because I remember seeing a letter. There is one outstanding issue relating to a separate letter that you sent me.

Q103 **Katrina Murray:** That will probably follow in the next question.

Hilary Benn: Fine. I have not responded to that letter.

Q104 **Katrina Murray:** If you have responded, is there an intention to make

that response public?

Hilary Benn: Responded to which?

Q105 **Katrina Murray:** To the recommendations.

Hilary Benn: I do not know whether it would fall to Sir Iain to decide that. I will have to check. I am sorry about that; I should be able to answer the question. There are a number of recommendations, including about the day of remembrance. I think I remember saying that I am definitely open to the idea, but I would want to see what the parties and society in Northern Ireland felt about that.

Q106 **Katrina Murray:** A significant recommendation was a review of the “neither confirm nor deny” policy, and particularly to introduce a legal duty on public authorities for information disclosure to legacy investigations. Is that something that you will deal with as part of the upcoming legacy announcement?

Hilary Benn: There is a specific question that has been raised in respect of Stakeknife and that the Government is currently considering. Given the seriousness of the issue that that raises in respect of “neither confirm nor deny”, it is right that we consider that extremely carefully. We have reassured Operation Kenova that that is what we are doing. I am now reading—I understand that the Government’s response to the interim report recommendations will be included in the full report, when they publish their final report. But that does not quite remind me whether that has already been sent, and they have it and we will publish it in the full report. That is what I will come back to you on. I apologise for not being able to answer that.

Q107 **David Smith:** If we could stick with the broader sense of legacy, I am thinking about the other aspects of ICRIR. Thinking of the Legacy Act 2023, when do you intend to commence part 4 of the Act, including initiatives in oral history memorialisation and academic research?

Fleur Anderson: You are absolutely right to ask about the wider issue of reconciliation. Ever since my appointment, I have been asking lots of community groups what reconciliation means for them. I am sure you were asking that when you were in your inquiry.

There is the really important aspect of justice for those individuals and families directly affected by the Troubles, but there is also the issue of reconciliation in societal terms. That is what part 4 addresses. We are committed to reconciliation elements in any forthcoming primary legislation. We will still have them. That includes the major oral history initiative and other widely supportive measures envisaged in the Stormont House agreement. Those provisions that were in the Act in part 4 cannot be fully commenced until the wider legislative proposals to repeal and replace the Legacy Act are enacted, but that does not stop us taking a lot more action on reconciliation.

I see our work in the NIO as really underpinning reconciliation in everything we do. The test for everything we do is, “Will this result in a



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more peaceful, reconciled, prosperous Northern Ireland?" It is financial, so we are investing £730 million in the new PEACE PLUS programme, which is 75% of the total budget. We are investing in supporting integrated education, which is £2 million over three years, and 50% of the cross-Executive programme for tackling paramilitary activity and organised crime—we have talked about that already.

There is a lot of engagement and convening power that goes along with that. A lot of my engagements involve working with community groups. We work with groups from both communities, but also those who see themselves not in either one of those communities. The Islamic centre that was attacked over the weekend—I have been meeting with them previously, but with other groups as well. How do they play a part, and where do they sit in reconciliation? I am also working with lots of community groups who are dealing with and working in, "What does reconciliation mean on the ground?"

There is public services transformation, which we touched on in the funding conversation. That is about making Northern Ireland work, and making the health service and schools work—all of that work that the Executive is doing. That is part of transformation as well. Does that work for every community?

In the industrial strategy, which is released today, supporting growth and employment opportunities and investment in Northern Ireland is part of reconciliation. Are we ensuring that Northern Ireland as a region is growing just as much as the rest of the United Kingdom, and that that growth is shared across all communities? Those are really important parts of reconciliation.

We launched the Connect fund, which is a £1 million fund for community groups to connect between Northern Ireland and the rest of the United Kingdom. That is another piece of our reconciliation programme, which was launched three weeks ago. That will be £1 million over two years—a very substantial amount. I worked in a community service background myself, and I wanted to make sure that that can be open for very small grants—so, £300—up to larger grants, so that local community groups can connect with other local community groups and individuals. We are not being very prescriptive about what it is. It could be cultural, sporting or all sorts of things—whatever contributes to reconciliation. That is a long answer, but your question deserved it, because it is so much a part of our work.

Q108 David Smith: Thank you for that answer. I will mention a specific point, and then ask a final, broader question. There is a role within the Act regarding designated persons to carry out memorialisation activities, who would be key to the process of memorialising the legacy of the Troubles. Is there a process in place yet, or how do you envisage appointing those designated persons? I ask because they would be key to memorialisation.

Fleur Anderson: We are working on an independently led official history. That might be what you are referring to. There is the digitisation



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programme for the National Archives as well. For that independently led official history, we are working with academics on what would be the best form for that programme to be working and going forward in, and we want to be able to do that alongside the legislation when it comes through.

Q109 David Smith: So that is under way. I will ask my final question and I think Chris wants to come in as well. I'm a bit of a one-trick pony on this; I keep coming back to the issue of reconciliation, because I think it is so important in Northern Ireland, as recognised in the Act and in the setting up of ICRIR. Philosophically perhaps, what can Governments—and I mean Governments, not just this Government—do? You mentioned convening. What can Governments do to convene people and facilitate initiatives that move beyond the quasi-judicial or the outright judicial in the process of dealing with the legacy, and start looking more philosophically at acknowledgement, and apology even? Is there a role for the Government in convening people in a vicarious process that tries to move beyond that sort of judicial, academic, very functional approach—which is necessary in some regards—and that in the end gets to the soul and the heart of these matters?

Fleur Anderson: We can create the environment in which that can happen. We cannot tell the individuals what to do, but we can certainly play a very large role in the environment in which it can happen, and we can do that from the top to the bottom of society as well. So it is about leadership at the top—the leadership by the First Minister and Deputy First Minister in showing how it can be to have two different outlooks on constitutional change and yet work together so closely. Our supporting what they are doing so visibly is one aspect of that; our being seen to support that is very important.

And then it is about all levels of society; then it is down to communities and to individuals. We can support community groups. We can support growth and opportunity. That is why I went through all those areas, because I think those are the roles in which Government can play a part. Ultimately, it is up to groups and individuals. Just as in the peace process, there are those brave, community-leading individuals who can do that, and we can create the way in which they can do that, but it is up to them.

Q110 Chris Bloore: I am sorry to shoehorn this in, because I think you are right to mention community groups and the roles that community leaders play. One of the frustrations I have, coming from the west midlands, is that 50 years on, the same people are going to be outside Aston Villa football club and Birmingham City football club, collecting money to raise funds for families from the Birmingham bombings in 1974. At the end of last year many of us came together, 50 years on, to mark that horrible evening in Birmingham, yet despite several questions, both written and oral questions, being on record, we are still no further down the road about whether this Government will order a public inquiry into what happened.

Time is ticking on. It is over a year since—I was one of those people who put down a written question and I represent many people who were



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impacted and are part of the campaign. This is to either the Minister or the Secretary of State: when do you think the Home Office will be giving those people the answer on a public inquiry, and are you in talks with them, giving your own opinion about whether there should be one?

Hilary Benn: As you just pointed out, it falls to the Home Office to take a decision. I don't know when they are going to be able to give an answer or what that answer is going to be, but I will just point out that, as I indicated to the Committee earlier, a Guildford pub bombing family has gone to the commission, and the commission is looking into it, and that is an option that is open to the Birmingham pub bombing families.

Q111 **Gavin Robinson:** Minister, some of the evidence we have heard focuses on the fact that no Government, no community group and no organisation can reconcile an individual's heart to their experience. But obviously, in working with those groups, we can assist in that process. It is only because we have had these things raised with us that I want to put them to you, to see whether there is traction or, indeed, a willingness to meet.

We have heard about a large-scale proposal for a reconciliation hub that draws on the ecclesiastical presence in Armagh, the cross-community presence in Armagh and the fact that the cathedrals have such a place there. There is an opportunity to draw upon that, the victims centre in Lisnaskea, and a Troubles-related, reconciliation-themed proposal for St Anne's cathedral in Belfast by Trevor Douglas and his colleagues.

Are you aware of those? Have you met all three? Have you met with the church leaders from Armagh? On reconciliation alone, have you met with Trevor and his team at St Anne's, and have you met with SEFF for the shared campus hub idea that is in Lisnaskea in Fermanagh? It would be worth pursuing.

Fleur Anderson: I am aware of them. I have met with the Bishop of Armagh, and I have talked to both cathedrals in Armagh. Just two weeks ago, I was in St Anne's cathedral, hearing from Trevor and the team about that and giving what advice I could—that is both from a Government perspective, and I have also raised money for community projects like that one.

There is a lot of merit in all of these, as well as in sitting down and saying, "How can we commemorate? How can we do something that is very meaningful?" I am very open to listening to people from all of those projects and then thinking, "How can we work together? How can we work together to get the money for those projects, but also to test what are the best ways to commemorate?" There is no one way to do that, as you know perfectly well. But alongside all the work that we are doing on legacy, we must make sure that we always keep in mind the work of wider reconciliation.

What I really appreciate about those projects is the care with which they are talking about the victims and how their loved ones will be commemorated, and the work with children. For children, the Good Friday



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agreement is now so much in the past, and it is about how we bring that in and make sure that all communities are learning about it. It is something that schools are doing in the curriculum, but we should think about these other ways that this can also happen outside schools.

Q112 Simon Hoare: Secretary of State, predecessor Committees have spent considerable time hearing evidence and thinking about the role of Libya in IRA-sponsored terrorism. What is the current Government's position on the issue?

Hilary Benn: I met Mr and Mrs Parry recently, together, I think, with Mr Blum and Mr McCue. As you know, the Government have been considering what to do about the Shawcross report, which was commissioned as an internal document by the previous Government. The Government recognises the significant public interest that there is in this and is considering whether elements of the report might be published.

Secondly, on the use of frozen assets, I understand that, although the comparison is made with Russian assets in Ukraine, there are differences. It is obviously a highly complex and technical matter. It is led, as you know, by the Foreign, Commonwealth and Development Office, and Minister Hamish Falconer has written to Mr and Mrs Parry, Mr Blum and Mr McCue, offering to meet them in early July. They have accepted that they will do so, and so it rests with Hamish Falconer and his team.

Q113 Simon Hoare: I welcome the fact that Minister Falconer is going to meet them—that is good news. I slightly challenge your assertion that the Foreign Office leads on this, because the Foreign Office has never led on it. It has only ever responded, and over several years in the most lazy and supine way imaginable.

There is the potential, though it requires a little bit of muscle and gumption, to use the tax on both the interests and the earnings of those frozen Libyan assets to pay compensation to survivors, in the interests of fairness. It is not beyond the wit of man, and it is certainly not rocket science. From your previous answers, you are obviously very keen—and rightly so—to try to find the sweeter landing spot on reconciliation and resolving legacy. This continues to be a running sore for too many both in Northern Ireland and GB. Meeting families is good, but can we not expect you to use your good offices as the Secretary of State to try to power up a more muscular response from the FCDO, and if necessary, secure the change to international understanding of precisely what the interest in earnings on frozen assets can be put to? It is not as if other countries who had similar experiences have not already resolved this issue with Libya. We remain the last man standing where the question mark still stands at the end of it all.

Hilary Benn: All I can say on that is that I readily agreed to meet Mr and Mrs Parry, and they put precisely that case to me. When we met, I of course took advice, and it has been put to me that there are some differences to do with the nature of the UN resolution. I suspect you know a great deal about this, because of your long-standing interest in this. Whatever the position was in the past, it is currently an FCDO lead



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precisely because of the involvement of UN Security Council resolutions and the particular scheme that applies to Libyan assets, as opposed to Russian assets in respect of Ukraine. That is why I have spoken to Hamish Falconer about this, and he has agreed to meet them. No doubt, they will pursue the matter when that meeting takes place, which I am advised is early next month.

Q114 Simon Hoare: I am not disputing your assertion that it is an FCDO lead. It is undoubtedly true that that is where the ministerial responsibility lies. Predecessor Committees and previous Parliaments have seen precious little leadership on the issue from the Department. The nub of my question is, given the fact that there is increased and renewed discussion internationally pertaining to the use of frozen assets, interest and so on—specifically on Russian assets—it does not strike me as being eccentric to suggest that there is an appetite for some liberalisation of the rules and a more creative approach. That is against the backdrop of the fact that the UK is the only country—I think I am right to say—that has victims who could legitimately expect to receive compensation where a compensatory process has not been put in place.

My question to you, as Secretary of State for Northern Ireland—notwithstanding the fact that some of these things took place on the mainland—is, will you use your good offices to try to muscularise the energy levels of the FCDO to try to look at this again while there are still some people around who would benefit from a compensatory scheme?

Hilary Benn: I certainly undertake to you, Mr Hoare, and to the Committee that, following the meeting Hamish Falconer will have with the families, I will have a further discussion with him, if that is helpful.

Simon Hoare: It is.

Chair: It is—very.

Q115 Dr Pinkerton: We are moving on to the Windsor framework, the UK-EU summit and SPS agreements. This is partly inspired by a constituency meeting I had on Friday with a plant retailer, but I will not give them any free advertising here. My first question is, what is the expected timeframe for finalising the UK-EU SPS agreement?

Hilary Benn: Two things have to happen. The first is that the legal text has to be negotiated between the UK and the EU. The second is that our legislative framework has to be brought up to date with the current rules that apply in the European Union, because, to have an SPS agreement, there has to be alignment between the UK and the EU. I cannot give a deadline or timetable, but I think all of us—particularly those of us concerned with Northern Ireland—would like to see that happen as quickly as possible, for reasons we all understand.

Q116 Dr Pinkerton: Just to try to ground out some of the benefits of the alignment that you were just referring to, is there a prospect of removing, for example, the Northern Ireland retail movement scheme, “not for EU” labelling and the NI plant health label scheme? Are these some of the



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initiatives that could be resolved through this improvement?

Hilary Benn: Once we get this in place—assuming the negotiations go well, which I hope they will—there will be no need for SPS paperwork, no mandatory physical checks on goods moving from GB to NI, no need for NI plant health labels, an end to the prohibition on so-called high-risk plants, an end to the ban on chilled and frozen meats and no paperwork or checks on agrifoods moved for onward processing.

We are just about to come on to phase 3 “not for EU” labelling on 1 July, and it is difficult for those who are contemplating that. They say, “Well, you negotiated an agreement to have an SPS agreement, and we are going to have to do these things to then get to a place where the things have run out and no longer apply.” Yes, that is correct, but we only get the final SPS agreement, as I think I said to the Committee last time, and have said many times in Parliament, if we honour the current agreement we have with the European Union.

In the period of the last Government, incredible damage was done to trust between EU and the UK, because the last Government signed an agreement with the EU and then showed, by their behaviour, absolutely no intention of honouring it. That was catastrophic for the UK’s reputation—its reputation as a country that, if it signs an agreement, keeps its word. Trust has to be rebuilt, as I think I said the other day. That is why we need to faithfully and fully implement the Windsor framework. That will put us in the best position to negotiate the kind of SPS agreement that we are all looking for and that we want to come as soon as possible.

Q117 **Dr Pinkerton:** That leads me to the next question. The Specialised Committee on the Implementation of the Windsor Framework recently stated that there was still some “significant work” to be done to deliver “the safeguards underpinning the flexibilities for the movement of agri-foods between Great Britain and Northern Ireland.” Can you expand on what some of that significant work is?

Hilary Benn: We have to make sure that we are doing all the checks that are required. Let us take an example: citrus black spot. The EU takes very dim view, understandably, of citrus with black spot coming into Northern Ireland, as it could then potentially move on into the EU. Anyone who has an orange or lemon grove will understand that. We have to make sure that all those checks are being fully done. Other things that happened at the recent meeting of the joint committee had to do with the adding of certain bits of legislation—you may want to come on to that.

It is important that we do all the things that we have promised to do, because that builds confidence. In the same way, if there was a product that would put at risk a domestic industry if it came into the UK, for instance through Dover-Calais, we would want to make sure the stuff was being properly checked. That is the whole purpose of the Windsor framework.

After we left the European Union, we have had one country with one set of rules, one entity—the European Union—with another set of rules, and an



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open border. How are you going to deal with that? It is a practical problem, and wishing it away is not going to deal with it. How do you ensure that, once those goods are in Northern Ireland, they will be compliant if they move across the border? That is the genesis of the Northern Ireland protocol. As I have said before, it was never quite going to work, because of its onerous nature, and the Windsor framework was a considerable step forward—negotiated by the last Government, to their credit.

Dr Pinkerton: For the benefit of the record, I should state that Surrey Heath does not yet have the capacity for lemon groves—one of these days, perhaps.

Simon Hoare: Yet.

Q118 **Dr Pinkerton:** With a bit more global warming, perhaps. My final question is about the issue of veterinary medicines and why they were not covered by the common understanding. Can you offer any comment on that issue?

Hilary Benn: Very simply, it is because, in the EU's view, veterinary medicines are a manufactured good, not an agrifood or a plant. That would take you into a whole other area, and that is why they are not part of the negotiation, but I think we have made some real progress on them. If you go back, with the deadline coming up, people thought, "Crumbs, what are we going to do? We won't be able to get the medicines that we want." Actually, the documents that we published last week—the "Veterinary Medicines Health Situation Scheme", as it is called, and the "Veterinary Medicines Internal Market Scheme"—represent a real step forward, and that has been down to the work of the Veterinary Medicines Working Group, which I have the privilege to chair. We have made real progress on that.

Q119 **Katrina Murray:** I would like to turn to the subject of violence against women and girls. It has been documented that Northern Ireland is one of the most dangerous places in Europe to be a woman or a girl. Certainly, the Government have taken a cross-governmental approach to ending VAWG and have set very challenging targets. It would be interesting to know what the Northern Ireland Office has been doing to work with the Ministry of Justice, the Home Office and the Northern Ireland Executive to tackle the particular idiosyncrasies in Northern Ireland in this field.

Fleur Anderson: I am delighted that you as a Committee have decided to look into this area more, because that statistic is shocking. There are many areas that we can work on together. The Northern Ireland Office is working with the Executive, community organisations, the public and the police in Northern Ireland. One of those areas is working together with partners in Ireland. I will be in Ireland later this week working on what can be done across jurisdictions. That really came home to me when I went to the Foyle Family Justice Centre. They were talking about perpetrators continuing their abuse across borders, be they north and south or across different parts of the United Kingdom. That is one area that I am actively looking into.



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I also invited Minister Phillips over to Northern Ireland in January this year. We met the Executive Ministers—they are the ones leading on the Executive's strategic framework on ending violence against women and girls, which we absolutely welcome. I also met the Justice Minister, and we talked about ways in which we can work together. You discussed in your last session how you can share data to best effect and the ways barriers can be put up if data is not shared. Those are some of the areas that we talked about. We also talked about some of the new provisions in the VAWG strategy, which Minister Phillips is working on here, and how we can learn across the United Kingdom from different provisions that are being made in the justice system to tackle this. That is the second thing.

The third thing is the Online Safety Act. Obviously, online safety knows no borders, so we are looking at what the Government can do to strengthen the Online Safety Act. We will continue to listen and work with the companies that are enabling the perpetuation of the abuse. Ofcom's new draft guidance, which comes out of the Online Safety Act, proposes practical steps for online services to tackle misogyny, pile-ons, online domestic abuse and other harms. I really welcome the fact that Ofcom has done engagement with women and girls in Northern Ireland. It is vital that the unique experiences of women and girls in Northern Ireland are included in shaping national policy. It is important that the Northern Ireland Office and I as a Minister keep listening to women and girls.

In your last session, you talked about education, which obviously comes up in every single conversation about violence against women and girls. How do we tackle the root causes? How do we work with boys? I went to St Joseph's, Creggan, and they are doing a fantastic programme with the boys in that school, together with White Ribbon NI. It is called "Tackling toxic masculinity", and it is pretty full-on. I asked about the parents' support of that programme, because they work from year 7—I talked to year 7s about how their attitudes have changed as a result of the programme—up to sixth form. The parents are really supportive as well, which I think is important. Education is an important part.

I have also been working with 50:50 NI on the issue of women in politics in Northern Ireland, and how misogyny affects them. I welcome last week's sentencing of the man who issued threats to the deputy First Minister, Emma Little-Pengelly and her party colleagues. That was really shocking, but I have spoken to many other female politicians in Northern Ireland about that issue. It really undermines our democracy if women are afraid to go into politics, or afraid to get involved in the parties. That is an issue. It is not an issue that we just leave to the parties in Northern Ireland. We all bear a responsibility for it. Aoife Clements, who runs 50:50 NI, has been instrumental in her work, including on training. We are very much supportive of that. I have also visited Belfast and Lisburn Women's Aid, and recently went to its 50-year celebration. We are supporting Women's Aid, and those women who are working on the frontline.

Those are just some of the ways in which we are working together. Those ways include legislative work, community support, leading the way by



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what we say and do, and working with the police to ensure that the way that we do our politics, and the borders that we have created politically, are not enabling any perpetrator to continue their abuse. Rather, we break them down and work out how we can enable people who perpetrate abuse to be brought to justice, and how we can tackle the root causes of that misogyny.

Q120 **Chair:** I would like to follow up on that. In our evidence session last week, DCS McKee from the PSNI said that, owing to the violence that week, she had lost more than 20 staff out of her unit, because they were dealing with the violence. I find that quite disturbing. You said that you worked with the PSNI to address this issue. Is there any way that the money can be ringfenced to ensure that that situation does not happen? Women and girls need protecting, and she is losing staff.

Fleur Anderson: I saw that. What was started by a violent act against a girl then led to police being taken away from the frontline. It is a devolved matter, so it is up to the Executive to work, with their funding, but that is why I particularly welcome the additional funding being given to PSNI to bolster support for its work on violence against women and girls.

Chair: Just to correct the record, it was 15 members of staff.

Q121 **Simon Hoare:** Secretary of State, do you still intend to take forward the outstanding non-Windsor framework commitments from the "Safeguarding the Union" agreement?

Hilary Benn: We are making, I think, pretty considerable progress on implementing the "Safeguarding the Union" commitments. Do you have particular commitments in mind?

Q122 **Simon Hoare:** No, I just wanted to test the appetite for commitment.

Hilary Benn: I have a chart.

Simon Hoare: Well, if you have a chart, we are in safe territory. We always need a chart.

Hilary Benn: Indeed. The longest bit on the chart says "delivered". There is an "imminent delivery" category, and then we have "in progress".

Q123 **Simon Hoare:** Excellent. That is encouraging, thank you. We have all three strands of the Belfast/Good Friday agreement in operation, which is a relief to many of us. I know you will share that relief. There is a tendency, which has gone on for years, of feeling, when the Executive has been resurrected, almost like it is a delicate piece of glassware that has been glued back together, or a piece of flat-pack furniture. You are not quite sure how they have done it, or how it is still standing, but if you do not look at it or prod it, it will stay standing up.

However, is now not the time for your office, with others, to instigate a review leading to Assembly reform, to build on its resurrected status, and make it robust and future-proofed against flimsy reasons to collapse?



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Hilary Benn: That is a very important question. First, I hugely welcome the restoration of the Executive. I think that they are getting on with the task in hand. They have big challenges. There is no justification whatsoever for the institutions to collapse again—none. Having been in the job almost a year now, I would observe that Northern Ireland has been ill served by periods of no Government at all. When we stand for office, we take on responsibility, which includes difficult decisions, difficult days, difficult circumstances. I am not anticipating that that situation will arise.

Secondly, as you will be aware, the Northern Ireland Assembly and Executive Review Committee is currently looking into that. I would say this: should proposals emerge that can command support across the parties, of course one should look at that, but I do not think that we can proceed in the absence of a consensus emerging, because it was agreement—not from everyone, but agreement among certain parties—that led to the power-sharing institutions coming into being in the first place.

The single most important thing that we require in Northern Ireland is the continued stability that the continued presence of an Executive gives Northern Ireland. That is why I have been genuinely encouraged by the start that the new Executive have made. We are trying to assist, with the record spending review settlement to give them more resources. I did not mention earlier the increase in capital. They are getting an increase in capital so, to come back to the discussion we were having about stadia, other capital projects and football, there are increased resources for the Executive to make choices about how they will spend it. I will be interested to see what the AERC inquiry produces when it has finished its deliberations.

Q124 **Simon Hoare:** That is an understandable answer. It would be lovely to think that this was realistic, but it is probably unrealistic to expect a unanimous consensus on reform. You are right to point to the work within the Assembly on this. Do you see a convening role for the NIO—with others—to try to move things forward? Different parties have had different ideas with regards to what that reform can be, but time precludes us from going into those. I do not mean this disparagingly, but is your position to sit back and say, “You sort it out”, or to say, “You are trying to sort it out. We can provide some thought leadership, some convening, some”—I was I was going to say “arm-twisting”, but you know what I mean?

Hilary Benn: No, I understand what you mean. It is a difficult one, because if the Government take the lead, people say, “Ah, so you are anticipating”—

Simon Hoare: No, it is not about taking the lead; it is about responding to and convening, or harnessing and driving forward an initiative that has been authored in Belfast—the genesis of which sits in Belfast.

Hilary Benn: As I said in answer to your earlier question, if a broad consensus emerges that changes are necessary to make the institutions work more effectively together in future, of course the Government would



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look at that, but I think that that needs to come from the parties. There may be relatively minor changes, and there could be others, but the single most important thing for me is that the Executive continue to do their job.

There are issues that they may want to consider in relation to the effectiveness of governance in Northern Ireland. Public sector reform, which we have not touched on so far in this session, is of course hugely important when one looks at the extraordinarily long waiting list to see a consultant for the first time in Northern Ireland, compared with the rest of the United Kingdom. However, I think that consensus needs to come forward.

There is not a problem of stability, provided that the Executive remain in place. That rests in the hands of the parties. No one can take that away from them, under the current system that we have, which made power sharing possible and which was such an extraordinary step forward compared with the situation prior to the Good Friday agreement.

Q125 Simon Hoare: If one of my three daughters asked me what your answer was—"Daddy, did he say yes or did he say no?"—

Hilary Benn: What was the question?

Simon Hoare: Would the NIO be prepared to step in and use convening powers, or convening influence? I would have to say to them that the Secretary of State answered my question, but I am not entirely sure whether it was a yes or a no. If those circumstances were to arise and there were clear benefits, as agreed, to seeing reforms introduced, would you, as Secretary of State, deploy the good offices of the NIO to help to facilitate that process in a responsive, but active and engaged, way?

Hilary Benn: What are the circumstances that arise—the prelude to the hypothetical question?

Q126 Simon Hoare: The Assembly's committee, which you have worked with, has said, "We have a suite of proposals here. We are agreed on 65% of them. There is a bit of to-ing and fro-ing on them. We are not quite sure where they will land. Some of them may require additional—", you know, whatever. Would you say no unless they came up with something absolutely unanimously and said, "Secretary of State, this is what we have all agreed—sign it off"? That is a perfectly respectable stance to take, but it would be helpful to know.

Hilary Benn: The answer to your question is that if there were proposals, of course I would look at them. But it depends what the proposals are, what the degree of consensus is and what the circumstances are. That is why, with respect, it is difficult to answer the question in a way that would satisfy one of your children. But I wish it well, because it would be terrific if people could agree on reform. I come back to the point that I am now going to make for the third time: it is not an issue if the Executive remains in place. That is and has been within the gift of the parties. I really hope that we will not see a return to collapse.



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Chair: Gavin Robinson to end.

Q127 **Gavin Robinson:** Chair, I decided not to intervene on some of the Windsor framework questions because it would not have been helpful. The Secretary of State knows my position and my disappointment in his Department and Government's position that it may take 18 months to even get close to an agreement on SPS. I think it is a shame. This is also the first time I have ever heard AERC being pronounced as "A-ERC", which was quite novel. Well done, Secretary of State—a new phrase for our lexicon.

Hilary Benn: It is the Assembly Executive and Review Committee—I think have the initials right.

Gavin Robinson: You have; I have just never heard it pronounced that way.

Hilary Benn: I have? Oh, good. I will take that praise, especially given where it is coming from.

Q128 **Gavin Robinson:** I think it might catch on. Following on from ICRIR, "A-ERC" seems to work. Secretary of State, my final question is about Spirit AeroSystems. Though constituency-focused, it is of interest to the entire Committee. Are the Government doing enough to pressurise Airbus into completing a deal that would look at the entirety of the site or the entirety of the business, as requested by local political leaders, this Committee, trade unions and other business interests in Northern Ireland?

Hilary Benn: I have met Airbus on at least two—maybe three—occasions and had discussions with them. The Spirit site is hugely important to the aerospace industry in Northern Ireland. It is a great residue of skill and talent. The manufacturer of the A220 wings is an astonishing thing to visit, as I have done. Airbus has made it quite clear, however, that it does not intend to buy the whole site. What it has said is that it will purchase the bit at this end that makes the A220 wings. Airbus wants the site to produce more A220 wings. There is growth opportunity for the workers there in Belfast. Airbus has also said that it will act to keep the mid-fuselage manufacture that is being done there going in the absence of an alternative solution.

Boeing will own what is known in the trade as RemainCo—that is the remaining bits that have not been purchased by Airbus. It is going through the process of completing that, with Airbus having announced its policy. It will remain in Boeing's ownership unless and until somebody else comes along and chooses to buy the other parts of the business. I hope very much that a company will come forward. We certainly encourage that, because the Government's clear policy is to sustain aerospace manufacturing at the Spirit site; it is hugely important.

Q129 **Gavin Robinson:** All of that is well known and it is an accurate portrayal of where things sit, but again, that was not really the question, Secretary of State. Airbus is displaying no benevolence in this, nor should we expect it to; it is being paid half a billion dollars to take the facilities in Belfast.



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The mid-fuselage section, as you should know, is entirely integrated within a wider facility, which has others. As you know, Boeing and Airbus are not thoroughly engaged partners and there is a lack of comfort around the proximity of the two co-existing. Airbus has also reneged on all the grandfathered rights that came with the relaunch funding, which facilitated the construction of the wings facility for the then CSeries and now A220.

We have met the unions in Belfast—Unite, GMB and others—and they are very clear that the Government cannot leave this to market alone. The Government left Scunthorpe to market alone until they needed to intervene. The unions asked me and others to write to the Secretary of State for Business—I copied you into my letter—asking that he convene a meeting of the interested parties to see if we can encourage, collectively, an outcome. Some talk about RemainCo and others talk about Shorts—the traditional part of the company. We need an outcome that would benefit not only the employees and the five facilities, which employ people from right across Northern Ireland, but the top of the pyramid in terms of the aerospace industry and the wider economy of Northern Ireland.

Is that something that you are willing to consider? Are mine and the unions' requests under active consideration? Can we see the Government accelerate or increase their involvement and encouragement to secure an economic solution that befits not only the employees but the economy of Northern Ireland?

Hilary Benn: In fairness, I think the Government have been working hard to encourage an economic commercial answer to this question, in the same way as we did with Harland & Wolff. We were in the same place—in fact, a more difficult one—in relation to Harland & Wolff, but in the end, finding a commercial outcome was a success, and a lot of investment is now going into the Harland & Wolff site from Navantia. It was a bit tricky and people said, "What if?", but in the end it came through.

That is a very good sign of the Government's commitment. I was merely reporting to the Committee that Airbus has made its position quite clear. Of course the Government will encourage others to come in and buy the remains of the site, but Boeing will continue to own it. I am willing to meet anyone, at any time, to talk about anything that could be done to help facilitate a clear and successful future for Spirit.

Q130 **Gavin Robinson:** Drawing on your response to Mr Hoare, can I ask whether you have considered convening the meeting?

Hilary Benn: As I understand it, you have written to Jonathan Reynolds.

Gavin Robinson: I don't know what his answer is. I have not received an answer from anyone.

Hilary Benn: Since you have asked me the question, I undertake to the Committee to follow that up with him.

Q131 **Gavin Robinson:** And in the absence of him convening the meeting, will you?



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Hilary Benn: Let me take it up with him first if that's okay.

Chair: That is very much appreciated; thank you very much. I thank everybody for this mammoth session, which lasted nearly two hours.