



Select Committee on the Armed Forces Bill

Oral evidence: Armed Forces Bill, Session 6, HC 1281

Wednesday 24 March 2021

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Members present: James Sunderland (Chair); Stuart Anderson; Tonia Antoniazzi; Miss Sarah Dines; Leo Docherty; Martin Docherty-Hughes; Darren Henry; Mrs Sharon Hodgson; Mr Richard Holden; Mr Kevan Jones; Jack Lopresti; Stephen Morgan; Mrs Heather Wheeler.

Questions 289-379

Witnesses

[I](#): Nadine Dorries MP, Minister for Patient Safety, Suicide Prevention and Mental Health, Department of Health and Social Care, Kate Davies CBE, Director of Health and Justice, Armed forces and Sexual Assault Referral Centres at NHS England, Dr Fiona Jenkins MBE, Veterans lead and Executive Director for Therapies and Health Science at Cardiff and Vale University Health Board, and Interim Executive Director for Therapies and Health Science, Cwm Taf Morgannwg Health Board, William Vineall, Director and Chair of the Armed Forces Partnership Board, Department of Health and Social Care, Professor Jason Leitch, National Clinical Director, Scottish Government, and Dr Jonathan Leach, Armed Forces Clinical Lead, NHS England.

[II](#): Lieutenant General James Swift, Chief of Defence People, Ministry of Defence, Caron Tassel, Head People Secretariat, Ministry of Defence, Ben Bridge, Deputy Director, Command, Discipline and Constitutional Law team, Ministry of Defence Legal Advisers, Helen Helliwell, Director of Armed Forces People Policy, Ministry of Defence, and David Howarth, Head Service Complaints and Justice Transformation, Ministry of Defence.

[III](#): Johnny Mercer MP, Minister for Defence People and Veterans, Ministry of Defence, and Minister for Veterans' Affairs, Cabinet Office, and Damian Paterson, Deputy Director, Office for Veterans' Affairs.



Examination of witnesses

Witnesses: Johnny Mercer MP and Damian Paterson.

Chair: Good morning once again. My name is James Sunderland. It is a great privilege to welcome you to this third and final panel of day six of the Select Committee on the Armed Forces Bill evidence-gathering sessions.

We have two expert witnesses with us for this third panel. First, please can I introduce Johnny Mercer MP, Minister for Defence People and Veterans at the MoD and Minister for Veterans' Affairs at the Cabinet Office? Secondly, I introduce Damian Paterson, Deputy Director, Office for Veterans' Affairs.

It is good of both of you to join us. The Minister is with us in the Palace of Westminster, and Mr Paterson is on Zoom. A number of Members are with us physically, and others are with us virtually. We have 45 minutes for this session, so in the interests of expediency let us crack straight on with the first question.

Q341 **Stuart Anderson:** Minister, there have been quite a few headlines recently. We want to put them out in front of the Committee. There have been huge announcements. We know you are heavily involved with the Overseas Operations (Service Personnel and Veterans) Bill and this Bill. There is the defence Command Paper that came out this week. It would be interesting to explain what contribution you have made to that, what your involvement is and how that impacts the Bill. We have also seen announcements today about a cut in veterans funding. Will you expand on that first, please?

Johnny Mercer: I am more than happy to expand on any of those. First, on the story today around veterans funding, let me be clear that that is not the current plan. For example, two weeks ago I launched something called Operation Courage, which is the first single-front-door, through-life care pathway for mental healthcare for veterans in this country, with £16 million, rising to £20 million by 2022-23. It is clear that there is more money in this country going to veterans care than there has ever been before. We will make this the best country in the world to be a veteran. I am committed to that, as is the Prime Minister, and we will continue along that path.

When it comes to the review, I have a clear role in terms of the people part of it. Obviously, these things always take place in a challenging environment. I found out 80% of it from the Dispatch Box, as you did. I think there was some very good stuff in there. There will always be a challenge in the people space, but I am really proud that, for the first time, we have put together exactly what the offer is for our people in this booklet that has been printed, with a copy going to every service person. I



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am confident that it is still the best thing you can do as a young person in this country today.

I have seen all the comments on the defence review. In some ways, we do need to understand a bit more the environment in which we are operating. I understand the arguments around mass—of course I do—but what we do has to match our ambition and our financial commitment. We got a good settlement from the Prime Minister, and I think it is good news.

Q342 **Stuart Anderson:** Is there any impact on this Bill? Can you expand on that?

Johnny Mercer: No, you can clearly see in this Bill a steady march towards improving what it means to be a service person and a veteran in this country at the moment. That is what I came into politics to do, and that is what the Prime Minister is committed to. Every day it is challenging. I still do not really understand why it is so hard to get these guys and girls a fair deal, but we will get there. Of that I have no doubt. This Bill is another important step towards realigning the duty that this country has to her service personnel and veterans.

Stuart Anderson: Thank you, Minister.

Chair: Thank you. Kevan Jones next.

Q343 **Mr Jones:** Can I just clarify something, Minister? In terms of the story this morning, there is a 40% cut in funding for veterans. Is that not true?

Johnny Mercer: That is not the current plan, no. Departmental budgets are worked through and negotiated all the time. That is not the current plan, no.

Q344 **Mr Jones:** So that story is a complete—

Johnny Mercer: That is not the current plan.

Q345 **Mr Jones:** That is a different answer—

Johnny Mercer: I have answered your question.

Q346 **Mr Jones:** No, you have not. It was in *The Times* this morning. That is the first that I have heard about it. So is it not true? You are not going to cut the—

Johnny Mercer: More money is going to veterans in this country than ever before.

Q347 **Mr Jones:** Come on, just answer the question. Is it true? Yes or no?

Johnny Mercer: The story that I have read is not the current plan.

Q348 **Mr Jones:** So it is not true, then.

Johnny Mercer: The story that I have read is not the current plan.

Miss Dines: Chair, I am having difficulty hearing. Could the questioner please speak into the microphone?



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Q349 **Mr Jones:** Well, I will ask it a fourth time. Is the story true? Yes or no?

Johnny Mercer: That is not the current plan.

Q350 **Mr Jones:** You are being very evasive. Can I ask about something else that you said, Minister? You said that 80% of what was in the defence Command Paper you first heard about on the Floor of the House? Is that correct?

Johnny Mercer: Yes, that is correct. That is pretty standard. These things are compartmentalised—understandably so. I think it is important that the first time people hear about them is from the Dispatch Box. I have a very clear role around our defence people. I have contributed to that; I wrote the chapter on that, and we have an exceptional offer for our people. I was proud to do so.

Q351 **Mr Jones:** I find it remarkable that you are a Minister in the Ministry of Defence and the first time you came across 80% of the paper was actually through the Dispatch Box. The Department is certainly being run in a different way now from how it used to be. But that included the 10,000 cut in members of the Armed Forces. What was your input into that?

Johnny Mercer: Look, I was aware of the big picture decisions, but my role in the MoD is very clear and very defined. I have a role to make sure, in relation to the strategic direction the Secretary of State goes in, that the responsibility and priority we put on our people and our veterans is there. I must say he has supported me zealously in that regard, and I wouldn't have expected it to be any other way. He deals with the threats. The Minister for the Armed Forces deals with that side of things. We work as a team. We have our clear parameters and our lane that we work in. I think the system has worked well and the Defence Secretary has produced a good defence review.

Q352 **Mr Jones:** Your title gives it away, really. You are in charge of defence people, but you had no input at all into the decision to cut 10,000 members from the armed—

Chair: May I please interject, in the interests of balance, fairness and time? This session has been convened for the purpose of discussing the Armed Forces Bill. Although we do have parliamentary privilege, I would urge Members, please, to focus on the matter at hand.

Mr Jones: Well, I am asking a direct question. And the Minister has answered: you had no input into that decision.

Johnny Mercer: Look, I have made my position very clear. I am responsible for service personnel and veterans. I did work on that. We have produced a very good outcome. The Secretary of State did the broader review, as he should, as he would in any Department and as has happened in many years previously. It is a good review. I think he has done a great job, and I support him entirely.

Q353 **Mr Jones:** Do you support cutting the Army by 10,000?



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Johnny Mercer: I support, very much, configuring the military to the threat that this country faces—absolutely.

Mr Jones: Thanks, Chair.

Chair: Thank you. May I hand over to Stephen Morgan, please?

Q354 **Stephen Morgan:** As it stands, Minister, the Bill puts new responsibilities on local authorities and other public bodies to have due regard to the Covenant, but central Government and Ministers like yourself are not included. Are you trying to outsource responsibility for delivering the Armed Forces Covenant?

Johnny Mercer: Of course we are not trying to outsource responsibility for delivering the Covenant, Stephen. It's about where we are going to have the greatest effect by legislating in this space. You will be aware that many Ministers, Secretaries of State and Prime Ministers have talked previously about legislating for the Armed Forces Covenant. It has proved a very difficult issue, but this Government are very clear, and this Prime Minister is very clear, that we are going to move on from talking a good game on this to actually delivering it. When you get into that space, what you need to look at is this. Where is the area where we are going to have the greatest effect on people's lives, on our servicemen and women, their families and our veterans? It is very clear to me that that is in health, housing and education and in a duty to have due regard to the Covenant on local authorities. That is what I can do in the legislative space that is going to have the greatest impact on our people who are serving.

I totally understand the argument that people want this Bill to go further; it is the same with the overseas operations Bill. Some people think it goes too far; some people think I haven't gone far enough. I have to try to operate within the art of what is deliverable, what is possible, and what is going to change the lives of our servicemen and women, our veterans and their families. I think this absolutely hits that balance and I am proud of it. I take on board what you say about going further. Let us see what happens in the future. This is a floor, not a ceiling, in terms of our ambition.

Q355 **Stephen Morgan:** Do you agree that it would be helpful for local authorities, in particular, to see the statutory guidance now, rather than waiting until Royal Assent?

Johnny Mercer: I got your letter on that, Stephen—thank you very much for that—and I am looking to release it to the Committee as soon as possible. I have seen it already. It has been cleared through the system now, and I am keen that the Committee see it, so we are all shooting in the same direction. I will get it to you in due course.

Q356 **Stephen Morgan:** The Committee had hoped to see some accommodation that personnel live in. Do you know why that was refused?



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Johnny Mercer: No, I do not—I mean, I do not really know whether a visit is the sort of thing you do on this Committee. If it is, that is outwith my control.

Q357 **Stephen Morgan:** You are on record as saying that the experience of veterans in this country cannot be a postcode lottery. Do you fear that this Bill actually risks reinforcing that experience for veterans because of the Bill's narrow focus, absence of statutory guidance and lack of prescribed outcomes?

Johnny Mercer: No, not at all. The whole idea is about levelling it up, so that if you are veteran in Plymouth or Portsmouth—I have been to your constituency and seen the great work that goes on there—your experience as a veteran will largely be pretty positive, because the Armed Forces Covenant is adhered to and the opportunities presented to you are fair. What this is about is levelling up that experience across the country, so that whether you are in Portsmouth, Plymouth or somewhere else in the country where perhaps the Armed Forces Covenant is not so much adhered to or does not take so much precedence, and whether you are posted there or because of your service, you cannot be discriminated against because of your service in the military in this country. Like I said earlier, it is about levelling up the floor and levelling up the experience of being a veteran in this country, so that the Armed Forces Covenant goes from being a really good but voluntary commitment to see through this nation's duty to her service personnel, to a mandatory requirement in law that you cannot discriminate against people because of their service. I personally think that is a low bar that we can all get to, and I am pleased that we can put into legislation so that we do right by those who serve.

Stephen Morgan: Thank you, Chair.

Chair: Can I just place on the record that the Committee has written to the Secretary of State, requesting a virtual visit to accommodation? We have not had the answer yet. That decision was taken by the Secretary of State, and I fully expect the Committee to be furnished with a letter in due course. Can I please ask Sharon Hodgson to come in?

Q358 **Mrs Hodgson:** Good morning, Minister. You will have heard in the last session, with regard to the statutory guidance, that Helen Helliwell said that it could not be published until after or, at best, at the same time as Royal Assent. I have just heard you say that you will try to get it to us as soon as possible. Obviously, there seems to be a little bit of miscommunication there, because you will be aware that we have asked for it. We need to be scrutinising this at the same time as the Bill.

Johnny Mercer: Sharon, I will try to get that to you as soon as I possibly can.

Q359 **Mrs Hodgson:** So was she a bit out of date with the evidence that she gave this morning?

Johnny Mercer: No, I think that has traditionally been the way it has been done in the past. But in a spirit of working together and trying to do



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what is best for our servicepeople, which I know is a cross-party and cross-Parliament endeavour, I will do what I can to get you the statutory guidance before that.

Q360 **Mrs Hodgson:** So you are saying it is normally not published until Royal Assent. This is my first Armed Forces Bill; I do not know whether Kevan has other memories of it. You are saying that, normally, it would not be published until Royal Assent, so it is outwith the norm to be asking for it at this stage.

Johnny Mercer: This is my first Armed Forces Bill as well. I cannot answer that question, but I am happy to write to you about it.

Q361 **Mrs Hodgson:** So we will get it as soon as possible.

Johnny Mercer: I will get you that guidance as soon as possible and make sure that you have a good chance to read it, Sharon.

Q362 **Mrs Hodgson:** Excellent; thank you. I have another question about the story in *The Times*. Obviously, the journalist who wrote it—I have just seen they are live tweeting your responses and answers, so I am sure this will run for the rest of the day. Just so I understand it, you are saying that the story about the budget cut is not now the current plan. Was it the plan until you faced a backlash from the story this morning from your own Back-Bench MPs and campaign groups?

Johnny Mercer: Look, budgetary discussions have been going on for some months. Clearly, during those budgetary discussions, lots of different cases are put forward. I have been aware of them for months now, and other campaign groups have been aware of them as well. The Office for Veterans' Affairs works hand in hand with the third sector to try to meet the demand for veterans' provision in this country. The idea that the story comes out in the morning and I am in front of a Select Committee—you might say it is a bit of an ambush orchestrated by people, but I could not possibly comment.

Q363 **Mrs Hodgson:** Could you give me an indication of how much was spent in the last year for the Office for Veterans' Affairs, so we have got an idea of how much the budget was for an average year, or the last year?

Damian Paterson: When the Office for Veterans' Affairs was announced by the Prime Minister in 2019, I think there was an announcement in September 2019 that the budget for the financial year that we are just coming to the end of now was set at £5 million. In total this year, and bearing in mind that this is a new office that has been building up its capacity—a significant part of that budget is around people resources—I think the spend to date is just south of £2 million. I think it is about £1.6 million that the office has spent thus far this year.

Q364 **Mrs Hodgson:** Ah, so is this a grab of resources by the Treasury? Because it is the first year and you have not spent anywhere near your £5 million, they are changing the £5 million to £3 million, perhaps. Is that maybe the origin of this story? It is like the old adage that councils at the end of the budget year would quickly spend money so that their budget



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was not cut the following year. Is that the sort of thing that perhaps has led to this story?

Damian Paterson: I am not sure that I would characterise the conversations in that way. As the Minister said, there are a number of conversations that are still under way about the budget that the OVA will have going forward. The only point I would add to the Minister's observations is that from our perspective in the office, I think it is important to put into context what the office is here to do. I think Minister Dorries made this point in her evidence this morning. We are not a service delivery office, in that sense. The funding for veterans, as the Minister has said, sits across a huge range of different Government services. I would absolutely support the Minister's statement that actually the Government's commitment to veterans financially, as well as morally and practically through the creation of this office, is far greater than the scale of the Office for Veterans' Affairs budget.

Johnny Mercer: If I can just come in on that, Sharon, let me be absolutely clear: I came to this place six years ago on veterans' affairs. We are light years away from that. We are spending more now than we have ever spent on veterans' affairs. This Prime Minister has committed to veterans in a manner in which none of his predecessors have done so by creating the Office for Veterans' Affairs.

I am afraid I am going to have to give that a bit of short shrift, because there is more money going into veterans than ever before. That is what I am focused on. I have absolute support from the Prime Minister and Michael Gove who oversees me in the Cabinet Office, and I am confident that will progress.

Mrs Hodgson: Can I just ask one last question, Chair?

Chair: Can you please relate it to the Armed Forces Bill?

Mrs Hodgson: I just want to give the Minister a chance to put on record that he is going to fight as much as he can for the original £5 million budget. That was it.

Stuart Anderson: Can we get back to the Bill? We have limited time.

Chair: Order. I am going to interject. Ladies and gentlemen, this is a public session. It is being broadcast at the moment. In the interests of objectivity, I am going to make two points. First, Helen Helliwell in the previous session gave a very credible and reasonable answer about statutory guidance, so I think we have done that one to death.

Secondly, the Minister has agreed of his own volition to appear personally before the Committee today. We could have divided on it as a Committee. He graciously gave his time, so can I please urge Members to focus on the Armed Forces Bill? That is why he is here.

Q365 **Jack Lopresti:** Thank you, Chair—well said. The Bill does not have any prescribed outcomes. I understand why, and I support that in principle.



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How are you going to monitor and track just how effective the Bill is, in reality?

Johnny Mercer: There are a series of measures where parliamentarians and Ministers like me are held to account, and you will be aware of a lot of them. I think the key one through which we will be monitoring delivery is the existing legislation that provides for the Defence Secretary to come to the House once a year and make a report on the Armed Forces Covenant. I am looking to expand that into taking account of the veterans piece as well—that broadly focuses on what it means for service personnel at the moment—and to find out how this legislation is working. As I have said a number of times, this is a floor—a benchmark—that we are trying to bring in that will level up the experience of what it means to be a veteran in the UK.

We have consistently sung the chorus of the Armed Forces Covenant in this place for very long time, but you will know as well as I do that not enough people know about it who need it, and that those who do know about it feel that it does not really do anything for them. This Bill will specifically make it mean something in the hands of those who need it—the service personnel, veterans and their families. That is purely what this Bill is about. We can pontificate and theorise about who it should and should not apply to, but the reality is that health, housing and education are where most of the need is, and the crux of the issue is in the discharge of duties by local authorities, so that is where this Bill is going to have maximum effect, and that is why it has been designed as such.

Q366 **Jack Lopresti:** So you are happy and confident that there will be mechanisms to review and bring things back to the Government?

Johnny Mercer: Jack, you know me. If I did not think this was going to work, or that there would not be mechanisms whereby Ministers were held to account, I would make sure that they were there.

Damian Paterson: Minister, it might be helpful to add something for the Committee's understanding. In the veterans strategy, we defined a series of outcomes that will contribute collectively towards delivering the ambition of making the UK the best place in the world to be a veteran. We work really closely with the Ministry of Defence team and the whole of Government on this. We are looking to develop a set of data based metrics based on those narrative outcomes. The Covenant outcomes, and the outcomes that we all hope this Bill will contribute to—in the case of the Office for Veterans' Affairs, on behalf of veterans—will be integrated into that overall assessment of how the Government are delivering the outcomes that we seek in the veterans strategy.

Those outcomes include not only the three specific areas for the Covenant but wider areas around the law, perceptions, collaboration in the sector and finance and debt—those sorts of areas. So there is a clear outcome-based plan. What officials are doing at the moment, both collectively for the Covenant and for the veterans strategy, is developing the performance indicators through which we will then absolutely be able to demonstrate



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how these strategies and how the Bill will be improving outcomes for serving personnel, veterans and families.

Chair: I will hand over to Darren Henry for the next question.

Q367 **Darren Henry:** In the UK Government's response to the recent consultation on the strategy for our veterans, key theme 4 was health and wellbeing, and mental health was identified as a key issue to address. Minister, what is the Office for Veterans' Affairs doing to improve mental health treatment for veterans?

Johnny Mercer: That is a really good question, Darren. The situation as we found it in 2004, 2005, 2006 and 2007 was that mental health provision was essentially a desert, and there was almost nothing there. We have seen heroic work from service charities to step up to the plate and look after our veterans, supported by some valiant people within the MoD and the NHS.

It is clear now that there is a transition going on: as giving to service charities reduces quite significantly, after operations in Afghanistan and Iraq, we are seeing an increase in demand for mental health services. What the Office for Veterans' Affairs is trying to do in that space is to blend both third-sector and statutory provision in order to make sure that the veterans, whom we are trying to configure this around, can see and understand clear front doors and clear care pathways where they are going to get evidence-based care and ultimately get looked after and get better. Op Courage, which I launched a couple of weeks ago, is a fantastic example of that. The NHS provides the framework, and you have the transition liaison service, the complex treatment service and the high-intensity service wrapped round into one front door—Op Courage. However, those services are actually delivered by and contracted out to people like Combat Stress, Help for Heroes and Walking With The Wounded. It is a very good example of the future of veterans' care in this country, which is a blended model where there is a role for everyone.

However, we are uniquely governed by what it looks like from a veterans' point of view, and crucially by what it feels like to be a veteran in this country. There is no point in my sitting there saying that there is healthcare and lots of services available, which there are, if people cannot access them or understand the way through them. That is the driving motivation for what we do every day. We have made real progress, as you can see with Op Courage, but we still have some way to go.

Q368 **Darren Henry:** Thank you, Minister. Damian Paterson, do you believe that priority treatment makes a difference to veterans' healthcare?

Damian Paterson: I think you heard from witnesses earlier about this—I absolutely hope it does. One of the commitments in the action plan is a review of what priority healthcare really means for veterans. The Department for Health and Social Care, under Minister Dorries, and the NHS are leading that work and those conversations are ongoing between Departments at the moment. I believe priority healthcare makes a difference. What the Covenant does blends with the NHS constitution to



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ensure that, where there is that service base need, the beneficiaries of that priority receive it.

Q369 **Darren Henry:** Thank you very much for that. The final part of the question is to the Minister again, who has already said that we rely on the third sector for our mental health treatment and gave some examples. Is it right that we have that reliance on service charities?

Johnny Mercer: It is absolutely right that some of those services are delivered by charities that have delivered this care over a period of time, produce an extraordinarily high level of care and help some of our most poorly individuals from the services. Let me be clear: that is organised, run and manned by some brilliant people in the NHS. It is truly collaborative work across Government for those who seek help. We do not have a veterans affairs agency in this country, nor would I advocate for one—our veterans are civilians. The key is to make sure that there is a clear front door and a clear care pathway for them that is relevant to their unique experiences and what we have asked them to do on behalf of this nation. That is what we are designing. Op Courage is a huge leap forward. As I said, £16 million is going into that this year. It is rising to £20 million by 2022-23, baked into the long-term plan by Simon Stevens and Matt Hancock. It is a cross-Government effort. Do charities have a role in that? Absolutely. Are we going to have the overreliance that perhaps we have had in the past? No.

Q370 **Tonia Antoniazzi:** It was clear in evidence that, while those within the service justice system support the continued jurisdiction of the court martial in serious cases, those outside still have deep concerns including his honour Shaun Lyons. Why did you choose, after review, to maintain the jurisdiction of the court martial for serious cases committed in the UK?

Johnny Mercer: The service justice system review that Shaun Lyons did came to a clear conclusion that the Attorney General's consent would be required, so it was not advocating for all those cases to go into the criminal justice system. We want to make it clear for users of the system—primarily victims, but also those accused—where the jurisdiction would lie for the offence that has, or has not, been committed. That is why we have drawn up this protocol, but let us be clear: the final arbitrating voice on that is the criminal justice system, to ensure the best chance of the best outcomes for those using it, and that the system has the most transparency, resilience and integrity that it can. I am comfortable, with that protocol in place—and Shaun Lyons was clear that the service justice system is capable of trying these offences as well—that they provide a resilience route to justice for those who need it.

Q371 **Tonia Antoniazzi:** On 11 March, our Committee heard about prosecuting crimes, including rape, through military courts and one of the statements stood out. Judge Allen Large said, "our service people are thoroughly good people, but they drink too much, something goes wrong and they end up in court." Do those attitudes towards victims, currently held by judges in the system, not concern you? Does it ring any alarm bells for



you?

Johnny Mercer: I am not responsible for what Judge Large says. He has his own mind; he is the JAG at the moment, and he has independence. I would probably have a different view, but he is independent and rightly so.

Q372 **Mrs Hodgson:** Minister, the Government have so far not accepted the first recommendation of the Lyons review, which would have allowed all cases of murder, manslaughter and rape, when these offences are committed in the UK, to be heard in civilian courts, except when the Attorney General says otherwise. Why is there a hesitancy to accept that part of the Lyons review? What hope can you offer those who have suffered poor outcomes through the current service justice system that the Bill will give people like that a better experience?

Johnny Mercer: Because I think we can give them a better answer than that, which is a very clear, robust, well-understood and resilient protocol. People can look at it and genuinely understand where their case is going to be tried and the system and decision process that goes into their case, with the ultimate arbiter being the criminal justice system. For me, that strikes fair balance. You may ask, why have we rejected the recommendation? We have not rejected it. We have looked at it and thought that this protocol would be a better way of doing things. I was on a service justice board yesterday and that protocol is being drawn up by service prosecutors in the criminal justice system. It will provide an extremely fair and much better route to justice for those involved.

Q373 **Mrs Hodgson:** Some of the evidence we heard last week said that a number of people do not even come forward to make a complaint because of the chain of command that has to be followed when reporting. We heard from Lieutenant General James Swift in the session earlier and he feels there is already an option that allows people to go outside their chain of command reporting. Do you think that enough is done to ensure that people who may want to make a complaint know that they do not always have to follow the chain of command?

Johnny Mercer: I think there are a number of things in there, Sharon. James Swift was absolutely right. There is an independent helpline. There is an independent service complaints ombudsman, and these pathways that people can go through are very clearly outside the chain of command. But I would not for a second demur about the challenge that we have around unacceptable behaviours. To be clear, my heart breaks when I hear some of the experiences you have had presented to your Committee. I am proud of this organisation, I want people to get in there, have the best time of their lives and come out from service greatly enhanced by it.

We have work to do. I hope you will have seen how we dealt with the unsavoury incident concerning the Royal Air Force a couple of weeks ago. We have a zero-tolerance approach to inappropriate behaviours. You will see a slow, but very firm and irreversible step change to making this a better place to live and work, particularly for those who have not felt it is their home before. They may be from a BME background, or certainly if they are female. I have seen the evidence going through the Select



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Committee inquiry into women's experiences at the moment, and it is unacceptable. I will be the responding Minister on that, and I will have a few things to say in that Committee as well.

Mrs Hodgson: Excellent. Thank you.

Chair: We have about five minutes left with one further prescribed question from Sarah Dines.

Q374 **Miss Dines:** Thank you, Minister, and thank you, Mr Paterson, for coming along today. I want to quickly ask you a question about one of Sir Jon Murphy's recommendations. He suggested that there be a protocol for joint civilian-led investigations. We know for a variety of reasons that that isn't possible. Can you elaborate on what agreements are currently in place for service and civilian police to work together? Will how it is working be reviewed later?

Damian Paterson: Forgive me, Miss Dines, but I am not sure that is a question I can answer. That is not something that I think sits within the purview of the Office for Veterans' Affairs. My understanding, from a number of years in the Ministry of Defence, is that that is a matter for Ministry of Defence colleagues.

Q375 **Miss Dines:** Can the Minister reassure us that he will consider whether that works properly?

Johnny Mercer: There are agreements in place, where we have what we call concurrent jurisdiction at the moment. It is blurred, right? It is not clear what those pathways are. If we are going to bring integrity and resilience to this justice system, that is why we need to introduce a protocol that is clearly laid down and that everyone can read; everybody can understand where that jurisdiction lies, and, crucially, victims feel like they are being treated fairly. Then, if they don't feel that, ultimately you have the criminal justice system making the last recommendation. So there are agreements in place. What the Bill is trying to do very clearly is to tidy up that space, make it clear, cleaner, fairer and more resilient and have more integrity. That is what the protocol will do and that is why we are doing it. I think it is a positive thing to do.

Q376 **Miss Dines:** There will be reviews, hopefully.

Johnny Mercer: I am not really one for commissioning reviews for the sake of it, but we are constantly reviewing what we are doing. If the protocol is found not to be fair, which is not likely given it is being drawn up by the prosecutors themselves, then of course we will review that. We are absolutely committed to a fair and resilient justice system. I have three young girls. The oldest wants to go in the military. I want to make this the fairest justice system in the military in the world. Of course, we will continually and relentlessly pursue that agenda.

Q377 **Stuart Anderson:** Minister, you have said that the aim is to make the UK the best place to be a veteran in the world. Obviously, we have made some progress, and there is a long way to go. One of the things that is key is communication. We are going through this in great detail. The



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people who follow us in our relevant social media bubbles will see this, but there are veterans in every constituency around the country that this will not mean anything to. How do we communicate to every veteran in the country so that they know what support is available to them and how we can help them?

Johnny Mercer: First, I would take the hit myself. I think we have to do more as leaders to get people to understand what is available. I think there are huge misunderstandings both in this building and across Government about what the Office for Veterans' Affairs actually is and what it is designed to do.

This article this morning has lit everyone up—this idea that we will reduce veterans funding, which is not correct. But you do have to, at some stage, go from the kind of playing to the gallery stuff to actually delivering something for veterans. I have seen, through the progress of this Bill and the progress of other Bills, that there are far too many who will sacrifice themselves on the altar of self-interest, rather than answer the fundamental question of what it is like to be a veteran in the UK today. I tell you now that we have a long way to go on that. While we have made great strides under this Government, it is still not at a level where it should be, particularly in comparison with our peer nations. I struggle to understand why it is so difficult to get people in position and authority to move from saying nice things about our veterans and looking sombre at the Cenotaph to, for example, understanding the granular detail of a very difficult but ultimately fair Bill like the overseas operations Bill.

There comes a moment when we all have to think about what we are trying to do in this space. I encourage colleagues to look at the bigger picture and always to focus on that—what is it like to be a veteran? What does it look like if people block things like that Bill or this Bill, because it has not got this or that which they want? We are making slow incremental progress. This will be the best country in the world to be a veteran in. I am confident that the Prime Minister will enable me to deliver that.

Q378 **Stuart Anderson:** This is my final question. It “will be” the best place to be a veteran, you said. When do you think that will be a reality?

Johnny Mercer: I want to go into the next election with a fundamentally different offer of veterans care in this country, the sort of thing that is based in the palm of your hand, in your smartphone, where you can deal with your armed forces compensation scheme, you can hear about Op Courage, or you can get help and advice in legal matters under this Bill or the Armed Forces Covenant. I have ambitions for that agenda, and I hope that I will be around long enough to implement them.

Chair: On that final note, I commend the all-party parliamentary group on veterans to Members. We will be discussing Op Courage in detail at our next meeting on 18 May.

That brings this session of the third and final panel of the day to a close. May I please thank Johnny Mercer, MP, and Damian Paterson for their time this morning? In particular, Minister, I thank you for willingly giving your



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time today.

That concludes the session. I thank all Members for their questions.