

# Northern Ireland Affairs Committee

## Oral evidence: [Work of the Secretary of State for Northern Ireland](#), HC 264

Wednesday 23 June 2021

Ordered by the House of Commons to be published on 23 June 2021.

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Members present: Simon Hoare (Chair); Scott Benton; Mr Gregory Campbell; Stephen Farry; Mr Robert Goodwill; Claire Hanna; Fay Jones; Ian Paisley; Bob Stewart.

Questions 156 - 226

### Witnesses

I: Rt Hon. Brandon Lewis MP, Secretary of State for Northern Ireland; Mark Larmour, Director (Political), Northern Ireland Office; Colin Perry, Director (Economy), Northern Ireland Office.



## Examination of witnesses

Witnesses: Brandon Lewis, Mark Larmour and Colin Perry.

Q156 **Chair:** Good morning, colleagues, and good morning, Secretary of State. Thank you for joining us this morning for a one-off session, where we will be covering a number of topics with you. We are grateful to you for joining us this morning, fully conscious of everything that is sitting in your red box, your inbox and your in-tray at the moment. Secretary of State, I am going to ask you the question that is on everybody's mind, to which we do not know the answer. We had a tantalising taster yesterday in an interview. Between you and me, as friends, what did you tell Edwin Poots about the protocol the other day?

**Brandon Lewis:** I am just laughing at "you and me, as friends". I suspect we have a few more people than just you and me.

**Chair:** Possibly—who knows?

**Brandon Lewis:** As I said yesterday on the Floor of the House, I have outlined to people consistently over the last period that we are very clear, as the Prime Minister has said at the Dispatch Box, and as Lord Frost and I have said, that the current position of the protocol is not sustainable. It is causing issues for businesses, consumers and citizens in Northern Ireland. We need to rectify that. We need to ensure that gets corrected. The Prime Minister has been very clear that we take nothing off the table. We want to get that done.

I am optimistic and confident that we will get that done in the period ahead. I have always thought that it is in the interests of both the UK and the EU to resolve this issue. Ultimately, for us, there is a very core point at the moment in the protocol, which is about protecting and respecting the UK's internal market and the integrity of that, not disrupting the everyday lives of people in their communities and of course protecting the Good Friday/Belfast agreement, in all of its strands.

For us, it is a pretty straightforward situation that we want to get that rectified and we are determined to do so. It is reasonable for anybody to take the view that we have said there will be changes, because there have to be. The current status quo is not sustainable.

Q157 **Chair:** You mentioned the trade increases, for want of a better phrase, that need attention. I do not think anybody would disagree with that. Could I ask you to confirm something that Lord Frost told us last week when he kindly came to give evidence? He said, "The protocol is 100% clear that nothing in it affects the territorial integrity or the state responsibilities of the UK".

You will be aware that a number of people have, I suppose, conflated potential constitutional change and the trading arrangements as set out in the protocol. We have heard a very strong voice from witnesses from the loyalist communities, who said that they want to hear it very loud and



clear from as many Government Ministers as possible that the integrity of the UK remains intact with the protocol and the only way to change the constitutional settlement is a border poll, as set out in the Good Friday agreement. Could you confirm that you agree with Lord Frost's assessment and the fact that the constitutional settlement of the UK could only be changed through a border poll vis-à-vis Northern Ireland?

**Brandon Lewis:** That is absolutely correct. Also, one thing the Prime Minister was able to secure as part of the negotiations that he and Lord Frost did over the last couple of years, since he became Prime Minister, is getting the consent mechanism for the protocol back in. I appreciate that is in 2024, but that is quite an important factor as well. It is one of the reasons why I have made the point to Parliament, but also widely in meetings with the EU Commission, and I have referred to this with Maroš Šefčovič, the vice-president, that it is in both parties' interests.

If the EU wants to see the protocol delivering in a way that is sustainable, it needs to be delivering in a way that means it is able to be successful in that consent vote in 2024. This is a personal view: at the moment, it is very questionable whether it is going to be sustainable in its current format. That is why it is in everybody's interests to see it rectified so that it is going to have a life beyond that consent mechanism. It is only going to do that if it is working for people in Northern Ireland and respecting the integrity of the UK single market.

Q158 **Chair:** You have a meeting later this week with counterparts from Dublin. That is a welcome meeting that is taking place. What are you hoping to get out of that?

**Brandon Lewis:** It is a BIIGC meeting that I will be joint co-chairing with Simon Coveney. I am looking forward to it. It is actually tomorrow. They are good meetings, because it is a chance to show that we are working together, which we do. Through all of this period, despite some of the occasional coverage, Simon Coveney and I have had regular conversations all through the last year or so, particularly with Covid, as well as doing joint meetings with the Northern Ireland Executive Ministers.

Indeed, I met the Taoiseach just a couple of weeks ago. The Prime Minister and the Taoiseach speak pretty regularly, because we work together as partners. There are a range of issues around Covid, as we move through the vaccination programme and hopefully as we are all moving out of Covid, for us to be able to work together on. It builds on the work that was done at the BIC, British-Irish Council, which we all attended in Fermanagh, 10 days ago now.

Q159 **Chair:** You will be aware that, at the tail end of last week, a statement was put out by the Loyalist Communities Council, threatening and thuggish in tone, that Ministers from Dublin were not welcome in Northern Ireland. You know as well as I do the importance of trust and bilateral friendships and relationships. For the record, could you respond



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to that statement and confirm or deny whether Ministers of the Irish Government are welcome in Northern Ireland?

**Brandon Lewis:** Ministers from the Republic of Ireland, and actually Ministers from pretty much most countries in the world, are always going to be welcome in Northern Ireland. It is important to Northern Ireland. One thing I want to be driving and talking about in the centenary year is the global opportunities for inward investment into Northern Ireland and what Northern Ireland has to offer the world. It is why Northern Ireland is such an important part of the United Kingdom and why it makes the United Kingdom stronger, because of its global outreach and global ability. Having Ministers coming in is a good thing.

We are co-guarantors of not just the Good Friday/Belfast agreement with the Irish Government but the New Decade, New Approach agreement. We work together on a range of issues and always do. We are always in contact on issues that affect both. Northern Ireland is an integral part of the United Kingdom. It comes under the United Kingdom Government. Through the Belfast/Good Friday agreement and New Decade, New Approach, among other issues, we have a very strong working relationship with the Irish Government and will continue to do so. Irish Ministers are always very welcome to visit any part of the UK, including Northern Ireland. We look forward to continuing that relationship as we go forward.

In terms of the LCC, I feel like it is right to be quite robust around this. I know the Committee met with the LCC a few weeks ago. I have met with some members of the LCC, as have my officials and other Northern Ireland representatives. Those people are the people we should all be engaging with, people who are clearly arguing to continue to have a peaceful future for Northern Ireland and to move away from violence. That is the right thing. If we do not engage with people in that position, if we had not done many years ago—my predecessors, all of our predecessors—we would not have had the Good Friday/Belfast agreement in the first place.

We also need to be very clear—and I am very much of this view, whether it is the LCC or anybody else—that, for that kind of engagement to be productive, positive, moving forward and continuing, they have to be very clear about the fact that they support peaceful, democratic, diplomatic processes and want to move that way. That is the basis on which we engage and move forward. It is the basis on which Northern Ireland has seen the last 23 years or so of prosperity, growth and the peace process delivering. It is the basis on which the future will be growing, I hope positively as well.

Anybody who uses any kind of threat is unfortunate. I am not going to get into the detail of individuals, because we have seen various comments that can be interpreted by various people in different ways over the last few years. I do not think it is particularly helpful to give a running commentary on that. We have to be very clear that moving



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forward has to be about peaceful ways of working, through diplomacy, democracy and the elected representatives. That is the right way to move forward.

We do that together with all our partners and interested friends around the world. Obviously, the US has always had a very keen interest and I am very keen to encourage that. That is why we appointed a special envoy, particularly with a view to seeing more inward investment in Northern Ireland.

**Q160 Chair:** We will come on to him in a moment. To close this one out, it is a bit more than unfortunate, is it not? It is downright unhelpful, disruptive, threatening and has no place in the politics of Northern Ireland in the 21st century. Would you not agree with that?

**Brandon Lewis:** For anybody inferring or arguing around violence, yes, that is absolutely the case. I agree with that. I do not want to get too much into it, because people will draw comparisons to what politicians in the Republic of Ireland have done over the last years, which could, arguably, be seen as unhelpful. We all have to focus on moving forward in the future.

**Q161 Chair:** You mentioned Mr Ringland, your envoy. From a personal point of view, I certainly welcome this initiative. It is an interesting one. We are trying to get a session with Mr Ringland before the House rises to find out his views, ambitions and vision for this role. For the purpose of this morning, could you set out for the Committee why you thought now to appoint and what you hope Mr Ringland will bring to this role and relationships with the US?

**Brandon Lewis:** It is something we have been working on for a while. The reason now is just that we have gone through the processes, made a decision and got agreement to do it, so it was right to announce it as early as possible. I was quite keen to announce before the summer, so that Trevor has a period of time to get himself into the role and organise, to get over to the US. It is important and the whole point of his role is for him to be able to spend time in the United States. I am very keen, as I say.

The core purpose of the role is to further develop and grow those relationship with the United States, for us, as the UK Government, supporting and working with colleagues in Northern Ireland. We have the bureau and Invest NI as well, which do fantastic work actually. It is having somebody extra who can be speaking for and with the UK Government in the US.

At the particular time, as we are coming out of Covid, there are going to be some really good opportunities in advanced engineering, manufacturing and cyber to name but a few. We already have the US's largest insurance company, I think, with its software and cyber base effectively already in Belfast. I want to see that grow. I want to see more



companies looking at doing that, because Belfast has the best, arguably, in the world, between the private sector, Queen's and the public sector.

It having someone who can spend that bit of time, a few times a year, getting out to the US and building those relationships, not just in Washington, because that is primarily the job of the embassy, which does a very good job of that for us, and me when I am there. It will be around other parts of the US, whether it is Silicon Valley, LA, New York or Boston, where we have diaspora but also businesses that could be looking to invest in Northern Ireland. I want to make sure we are taking every opportunity to promote, develop and, to be frank, capitalise on that for the benefit of business and the economy in Northern Ireland.

**Q162 Chair:** You mentioned jobs and investment there, and some of the high-worth sectors, the professional, white-collar jobs. We have been hearing evidence, and I know you are alert to this, of the perception that the prosperity agenda of the Good Friday agreement, the second side of the coin—the first side being peace—has not trickled through and permeated all sections of Northern Ireland's society. It is easy—it is not easy, but there are the accountancy firms, the AI, the pharma et cetera. Will you now be paying special attention to try to address that legitimate concern of looking to the full range of jobs, so that all communities, irrespective of socioeconomic background, will be able to feel the benefits of Good Friday trade, investment and the peace confidence dividend?

**Brandon Lewis:** Yes. That is a very important point. It is about manufacturing and engineering, but also wider opportunities. It is a fair point and a fair critique of the last period since the Good Friday/Belfast agreement. In parts of Northern Ireland, particularly around Derry/Londonderry, and parts of Belfast, there are communities that feel they have been left behind. We have to recognise that. We have to do some work with the Executive on the economy side, with our city and growth deals and with social fabric work that we are looking at through the new deal funding, around what we can do to help drive those areas.

I am particularly interested in social enterprise, which potentially has a very large part to play. We have social enterprise organisations and businesses in Northern Ireland doing some very good work. We can look at that, learn from them and help them grow. It is how we level up and find those areas where jobs have moved out and moved into different types of jobs, as you say, Chair. It is how we can help people in those areas see that they have opportunity, that there is ambition, growth and opportunity in Northern Ireland, for the benefit of all.

We need to make it real and look at what will make a difference on the ground to help people see levelling up as something that means something and delivers for everybody, regardless of where you live or what your background is. If you want to put the work in and get on, we should be supporting you to do so.

**Q163 Chair:** You have mentioned areas there where there is an awful lot of



devolved competence. What scope do you envisage to help you deliver on some of that, as a UK Government Minister, contained within the internal market Act?

**Brandon Lewis:** There are a few areas. First and foremost, it is about working with the Executive. Through the new deal, we have already announced some money, for example, that is going to the Department for the Economy around skills. They can invest in skills from the NIO's New Deal money. It is working with them around that kind of thing that can be delivered through the Executive. As we move forward, with the UK SPF, the levelling up fund and the community fund, which are being run by the Ministry of Housing, Communities and Local Government, there are opportunities there to look at how we can help support and encourage that funding, to ensure it is focused on the areas where we can see a need to develop, grow and create opportunity.

Again, that will be working with the Executive, because the Executive is there, on the ground, and has that clear ability to connect. It is working with communities, companies and individuals every single day. It is a partnership issue. It is right that we, as UK Government, as we are across the whole United Kingdom, are clear with people that we want to see levelling up as something that people actually benefit from, where they can see real, tangible progress in their areas.

**Chair:** That is an encouraging answer and we will follow initiatives that you bring forward with close interest. We are now going to go back. We are going to deal with this morning thematically. My questions were more scattergun, I suppose. I am going to turn to Mr Campbell, Mr Paisley, Mr Farry and Ms Hanna, all of whom have protocol-related questions.

Q164 **Mr Campbell:** You are very welcome, Secretary of State, again in front of the Committee. It is good to see you. On the issue of the protocol, I suppose many people are looking at it in very binary terms. You have seen some of the protests and objections in loyalist communities over the past few weeks. There are a number of people who have put it to me that, if we look at the protocol, it was a two-way arrangement between the EU and the UK, which has ramifications for everybody in Northern Ireland and many people beyond.

There are many people who have said to me that NDNA is a bit like that, in that it was an arrangement between various parties that has been undermined because of Sinn Féin's attitude to it, repeatedly talking about it as an Irish language Act, in a similar way to the way you and other Government Ministers have said that the protocol has been undermined because of attitudes by the EU towards it. Do you see the similarity and the symmetry between those two positions?

**Brandon Lewis:** Good morning, Mr Campbell. Thank you for the welcome. I am afraid that, no, I do not agree with that. They are different things. The whole principle behind New Decade, New Approach, after three years of no devolved Government, was that the parties came



together and came to agreement on a range of things. I agree with you that the presentation of some issues by some parties is interesting. The reality of the package, as I said yesterday, is that it is a cultural package that was agreed between the parties, rather than any one party. It is a balanced package agreed between particularly you, as the DUP, and Sinn Féin, but agreed by the parties in New Decade, New Approach.

The challenge with the protocol is around how it has been interpreted and the interpretation that has been required by the EU. If you look back to our command paper last year, which was pretty warmly and positively received, that looked forward to a pragmatic and flexible approach to how to implement the protocol. In practice, with the protocol and the way it is being applied at the moment, we have seen that it is, I would argue, breaching itself.

As I said in my opening remarks, the protocol itself refers to the integrity of the UK internal market. It refers to not disrupting the everyday lives of people and their communities, and the Belfast/Good Friday agreement. I would certainly argue the first two and it is becoming stronger, in terms of the east-west strand, to make the argument on the third part of that as well. The things are different, but obviously everybody is entitled to their own opinion.

Q165 **Mr Campbell:** Do you accept and understand that, for example, the protocol was an attempted arrangement in a very delicate and finely balanced position in Northern Ireland, vis-à-vis trading and constitutional position. The Government's position has repeatedly been that the EU has undermined much of that, because of the way it has demanded it be implemented. If you accept that, and you have said it several times, as have the Prime Minister and Lord Frost, do you not understand how many unionists see Sinn Féin's attitude towards NDNA, which has been repeatedly to state that it is an Irish language Act, when we all know that it is not?

If they repeatedly say that, in the knowledge that that will undermine confidence in my community towards NDNA, it undermines the basis of that agreement, in much the same way as the protocol has been undermined by the EU's attitude. Can you see that, even if you do not agree with it? Can you see how people would look at it in that light?

**Brandon Lewis:** I understand the point you are making. I can understand very much the point you are making. The reason I disagree with you on this is that there is a very fundamental difference. One is about perception and presentation. You are absolutely right: this is a cultural package. We should all be very clear that it is a balanced cultural package. It is one that the two parties agreed. In practice, what is being asked to be delivered, and, if it ends up being UK Government, what we would deliver, is the balanced cultural package that was agreed between the parties. In practice, if the Executive or the UK Government take this forward, what would happen is what everybody agreed.





The difference with the protocol is, in practice, on the ground, that it is having an impact that was not envisaged, was not outlined and is detrimentally affecting everybody's lives. That is in its practical implementation on the ground. That is quite different to a presentation issue, where we all have a part to play, you, me, all of us, to make sure we are clear about the presentational reality, which is that it is a cultural package.

Q166 **Mr Campbell:** We will agree to disagree on that, Secretary of State.

**Brandon Lewis:** That is fair.

**Ian Paisley:** Can I declare that I have registered interests? I am involved in a commercial legal action against the Government and the protocol.

**Chair:** Forgive me, Ian; that is my fault, not yours. I should have asked at the start of the meeting and I forgot, not for the first time, so my apologies. Your declaration is noted.

Q167 **Ian Paisley:** Secretary of State, there appear to be two seismic problems on the protocol. No. 1 is the position that unionists are of the view, and it has been expressed to this Committee, that the protocol has undermined, in some way, the constitutional standing and position of Northern Ireland. That was not helped by the action and the statements that were made in a court case about Northern Ireland's position, the Act of Union and Northern Ireland's status within that.

On that particular problem, how are the Government going to rewind what was said in court and retrieve a position? Is there an opportunity for the Government to make a very precise statement about the exact constitutional status of Northern Ireland? The fact that one of our European partners does not even understand that Northern Ireland is part of the union is grist to the mill in this type of situation. What opportunity are the Government going to take to rewind that position and firmly set out Northern Ireland's constitutional position to reassure unionists at this time?

**Brandon Lewis:** I am sure you will appreciate that there is a court case going forward. I appreciate that this is a matter of public interest. Because it is being considered by a court, I do not think it is helpful, or appropriate actually, for me to comment in any substantive way. There are a lot of complex arguments. I am not going to attempt to summarise or comment on them while the court is considering its judgment. I appreciate the point you made.

I know the PM was asked about this in PMQs—it was one of the issues in the case—although without reference to the particular case itself being made. I am happy to confirm, as he did on the Floor of the House, the central proposition of our case, which is that the Northern Ireland protocol is consistent with the Act of Union. I do not think it is right for me to elaborate on this court case any further than that. As I said earlier,



I think in response to a question from the Chair, the constitutional position of Northern Ireland can only change at the behest of the people of Northern Ireland.

**Q168 Ian Paisley:** I do not want to get you into something that is sub judice. That would be wrong and improper. I accept what you are saying on that. Do you accept that the outcome of all this means that somehow the Government are going to have to try to find an opportunity to reaffirm and reassure unionists and loyalists who perceive—and perception is reality in a lot of this—that the constitutional status of Northern Ireland has in some way been damaged and undermined? They will require a reassuring arm from the Government about that. Do you accept that you will need to find an opportunity to do that, at the highest possible level, especially when we have this clamour that Northern Ireland is not even part of the United Kingdom?

**Brandon Lewis:** The Prime Minister has been very clear. I have been very clear. You are right: both the Prime Minister and I will continue to be very clear and make the point that Northern Ireland is part of the United Kingdom. It is an integral part of the United Kingdom. Anybody who may say otherwise is reinforcing the point that some people, mainly outside of the knowledge of people like me and the Committee, people outside the UK, do not always understand the structure of the United Kingdom or the nuances, complexities and sensitivities of Northern Ireland. That is a very fair point.

Our position is that Northern Ireland is an integral part of the United Kingdom. It is right that it is, so we want to protect that. As I have said before, I want to continue to deliver on that, because the United Kingdom would be not just smaller but weaker, economically and culturally, if Northern Ireland was not part of it. Northern Ireland is a very important part of the UK, in terms of what it brings to the UK as a thriving, exciting, entrepreneurial, full of culture part of the UK.

**Q169 Ian Paisley:** I said there were two seismic problems. The other problem is of course the impact that the protocol is having on trade. That is not perception at all; that is definitely reality. I wonder how you respond to the Economy Minister's assessment. The Department now seems to have moved from a position that it is looking for something positive in the protocol and something we may be able to build on. It has now completely taken a very significant, step change position.

It is saying that it has "significant concern about the distinct possibility that firms in Great Britain will become dissuaded from engaging with the NI market when faced by regulatory barriers which can only increase if policies in England, Scotland or Wales move in a direction where NI options are constrained by the protocol". He goes on to say, "I am also concerned that the UK internal market (UKIM) Act does nothing to protect against commercial discrimination". These are very strong words by the Department for the Economy in Northern Ireland: that businesses are now facing commercial discrimination. How do you react to that?



**Brandon Lewis:** It highlights exactly the points that I and Lord Frost have made about why the sustainability of the protocol in the current format of how it is being implemented is a real issue. Consumers around the UK have access to different products because of consumer choice. There is the reality that a supermarket in my constituency in Great Yarmouth will have slightly different products to the supermarkets in any of our constituencies, because they are driven by consumer choice. It is consumer choice, not regulatory requirements. We have to get back to that situation where the products that are available in Northern Ireland, whether you are a business or a consumer, are the products you have always been able to access, freely and flexibly, and they are not unavailable because of anything other than consumer choice, if you like.

I actually have a lot of sympathy with that. There is one thing I have heard consistently, as has Lord Frost, in the joint engagement meetings we have done with businesses as well as civic society: in the meeting we had with Maroš Šefčovič just a couple of weeks ago, which we organised with civic society, and in a separate one with businesses across a range of sectors and the business representative organisations. It has been consistently clear that there are problems with products moving from Great Britain to Northern Ireland, or the ability for Northern Ireland businesses to get products from GB businesses, that need to be resolved.

That is either because of the direct challenges of the protocol, which we need to correct, or because of a perception of challenges. Either way, that is a problem. It is a problem that absolutely has to be fixed. I come back to the point I made in my opening remarks, which is backed up by the point you are making about the Department for the Economy, which is that the current situation is not sustainable. We are very clear that there needs to be a shift and a change to ensure that Northern Ireland can prosper and grow in the future as well.

Q170 **Ian Paisley:** What you have said there, Secretary of State, is very important. You have said that you have significant sympathy with the view expressed by the Department for the Economy. Its stated position now is that Northern Ireland companies are facing commercial discrimination. I do not think that should be lost on anyone, as to why there is a requirement for significant changes. I hope that those changes, which you are tempting us with and putting in front of us, are actually significant and will not be tinkering. I hope that they will actually be changes that address this discrimination aspect.

**Brandon Lewis:** We are very clear that we want to ensure that products can flow. The protocol has to work in a pragmatic and proportionate way. We understand the EU's determination and focus on protecting its single market. We respect that. Products that move into the Republic of Ireland absolutely need to be dealt with correctly. For products that are moving to Northern Ireland from GB, that are not moving to the Republic of Ireland, and that are clearly not at risk, we have to make sure we get a system that works and does not create the problems that are being



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created at the moment for businesses and consumers. I would argue that, in and of itself, it is actually breaching the protocol's requirements and the wording of the protocol itself.

Q171 **Ian Paisley:** In the system that you are talking about, of making sure of goods that are at risk, could they not all be checked either at point of sale or at the Dublin port, or the entry into the Republic of Ireland, rather than at the Belfast port?

**Brandon Lewis:** There are some pragmatic and flexible things that we can do. We have put, I think, now more than a dozen papers over to the Commission around how we can deal with the protocol in a way that can work for everybody, that deals with the concerns the EU has about its protection of the single market and that ensures we can continue to deliver on our main focus. That is the Good Friday/Belfast agreement, the prosperity of Northern Ireland and the peace process, as well as the integrity of the UK internal market. We have put over about a dozen or more papers to the EU now. We are still waiting for full engagement in that and responses from the EU on those papers, at the moment, I believe. That is a matter that Lord Frost and his team are taking forward.

I understand that, in a couple of areas, particularly medicines, the EU has talked about some proposals. I do not think we have yet seen the details of that. We know about that because of a tweet from an Irish journalist. Maroš Šefčovič was pretty clear in the media a couple of weeks ago about wanting to be flexible, be pragmatic and get things moving. We agree with that. We need to see that move from being words into action and actually see flexibility and pragmatism. Hopefully, that is the work that Maroš Šefčovič's team will be taking forward with Lord Frost and his team.

Q172 **Chair:** I just want to pick up on two points briefly that Mr Paisley has raised. He spoke about the Minister for the Economy. There is an issue here, which is a process issue, but I want to make sure it is on the radar. It is not clear to us, and it is certainly not clear to the Minister for the Economy and their officials, how Stormont and Whitehall are going to share responsibility for monitoring and responding to changes in EU law under the protocol. This is an important point for businesses that want to stay within the rules. How are the Government intending to approach this and in what timeframe?

**Brandon Lewis:** I am going to bring in Colin Perry, from the NIO, who is with us today. He is our economic and prosperity expert.

**Colin Perry:** Good morning. The issue around responding to changes in EU laws is shared across a range of places. We have the joint consultative working group, which has been established under the protocol. That provides a forum for exchange of information and consultation between the UK and the EU at the top level. At an official level, my team and I, working for the Secretary of State, will engage closely with the Cabinet Office. The Secretary of State talked about the officials working for Lord



Frost on that. They perform a secretariat function for the joint consultative working group. We are also engaging actively with different parts of the Northern Ireland Executive official system.

In terms of individual areas of policy, those are delegated to the UK Government Department that is responsible for them. Defra would be responsible for looking at EU law obtaining to agricultural goods. The NIO itself will deal with its responsibilities around article 2 and the no-diminution rights. We will look at the equality directives that are in that. Alongside that, we also work on common frameworks with a range of people across Government and with the Executive. That allows us to share information and understand the way in which changes are happening. UK Government Departments will clearly retain an interest in what is happening within the EU around areas in their sectors.

**Q173 Chair:** It is on the radar and we will probably come back to this. There is probably a separate issue in due course. I want to go back to another point, which was the elephant in the room, I suppose, that Mr Paisley was talking about and I raised in my earlier questions. That is this impression from some of the community in Northern Ireland that the protocol represents a constitutional outrage, assault—call it what you will. That is a view, or a fire, that has been fuelled by a number of politicians in Northern Ireland who have been making that point.

How can you, as the Secretary of State, convene those politicians and political and community leaders to convince them that they are wrong and you, Lord Frost and the Prime Minister are right? How can you convert them into ambassadors, if you will, with the message, an important message, to carry into all sections of society, that the protocol is not a constitutional weapon?

**Brandon Lewis:** I agree with you that it is about ensuring that people see this as not, using your phrase, a constitutional weapon. I instinctively feel British. In all honesty, people can feel anything: they can feel Northern Irish, Irish, British, a mixture of all the above. That is part of the strength and the beauty of culture. How we make sure that we respect and understand that is part of the future of Northern Ireland.

There is one thing we have been doing and will continue to do, and I am always keen to do as much as possible for myself, as I know are Robin Walker, our Minister of State, and others across Government Departments and across the EU. It is about how we engage with people. We have a continual engagement process with Northern Ireland businesses. We have a continual engagement with civic society in Northern Ireland. That is really important.

Somebody raised the point on the Floor of the House yesterday—actually it may have been Claire Hanna, but apologies if I am wrong on that—around things like civic forums, from the Good Friday agreement. That is a really good thing, because it gives us more of a chance. Sometimes, it can be tempting to try to do things at quite a high level. If we want to



make sure as many people as possible are aware of, understand and are able to engage with the process, we need to go out and do that engagement and connect with people.

It is one of the reasons I was so keen on the EU engagement. There has been an issue. After the EU looked at engaging article 16 back in January, it was very clear to me in the early conversations after that that there are people in the EU and the Commission who simply do not understand why or how that affects the sensibilities, the sense and the feeling that people have about their identity, particularly in the loyalist community, in Northern Ireland, understandably so. It is important that we encourage that kind of engagement so more people can understand on both sides.

You are right, Chair: as we go forward, if we engage and explain to people what is happening, why it is happening and what the point of it is, they can hopefully see the change and benefit. If we resolve these issues with the EU, and have a situation where consumers and businesses are not detrimentally affected and people's everyday lives can continue as they did in 2019 and 2020, for example, Covid aside obviously, we are in the right space for people to see that this is something that can work for everybody. We are not in that place at the moment, but that is certainly where we need to get to. It is engagement, absolutely, that can play a large part in that, so that people themselves can say, "This works and I am prepared to say this works and tell my friends and family that as well".

Q174 **Claire Hanna:** I am aware that Stephen Farry is maybe going to come in on an issue in this space and I will come in after him on that. Thank you very much, Secretary of State. I know you have spoken about the need to reassure people about constitutional status. I think that most of us are very alive to that. The Chair referred to language and messaging at a rally about Irish Ministers not being welcome in Northern Ireland. We heard a vox pop on Sky News last week about a woman saying that she was willing to give her life to stop the protocol. Are you worried about radicalisation on this issue?

**Brandon Lewis:** We should all be very worried about any form of opportunity for radicalisation on this or any issue. That is why it is important that we are all very clear about what the purpose and the reason for the protocol was, and the language we used—with a small "I", obviously—in terms of not creating a perception that moves way beyond reality. It is a reality that, at the moment, there is a problem with the protocol and it is not working for the people and businesses of Northern Ireland. We absolutely need to correct that.

I do not personally think that it is right or productive to be saying that Ministers from other countries and other parts are unwelcome in any place. My view is that Northern Ireland is stronger because of its relationships internationally. As I say, the US and our partners and friends in the Irish Government are always welcome. Just in the last few days, I think, I saw the Taoiseach in the Republic of Ireland, who has



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been making the point that he wants to see a pragmatic and flexible approach from the EU to see a sensible resolution. To be fair, he was very vocal and strong on that very point back in January, when the EU tried to trigger article 16. It was very sensible and helpful in that regard, at that point.

**Q175 Claire Hanna:** Looking at some things that we are seeing at rallies and some of the commentary in the media, if radical Islamist groups or the far right in your region were saying things like this in the media repeatedly, would you not be referring them to Prevent, the UK Government's deradicalisation programme?

**Chair:** Minister, I think you had responsibility for that at the Home Office, did you not, once upon a time?

**Brandon Lewis:** Yes, I did for a while. We also need to be very alert to the fact that, on issues around the protocol and leaving the European Union more generally, sometimes we can all be at risk of putting them into a category of policies. We talk about the centre, the right and the left of politics. One of the things we should have all learned by now, with leaving the EU, is that it is not a matter of somebody being right wing or left wing.

We have Labour Members of Parliament, those with very strong left-wing views, who were very pro leaving the EU. It is not a matter of left and right. It is a matter of people's strength of feeling about the sovereignty of the United Kingdom and taking that global approach, rather than being part of the EU. I do not see leaving the EU and the protocol as anything in the context of left and right. It is a mistake to do that and, to be frank, inaccurate.

**Q176 Claire Hanna:** I do not either, but we have groups saying, essentially, "It is the protocol or peace". I am arguing that, if a group was saying, for example, "It is racial equality or peace", I think authorities would act. There is a level of tolerance that has been breached here, if you have groups like Extinction Rebellion that are classed as extremist ideologies and we have spokespeople for groups on the media, day after day, talking about potential violence.

As I say, a vox pop indicated that somebody would be prepared to give their life. As we know in the history of this place, it would not be her life. It would be the life of some young teenagers that would probably be given. I am suggesting that the standards for referral to deradicalisation programmes appear to be a lot higher in Britain, or that this very serious threat is being ignored or tolerated.

Looking at solutions, I asked Lord Frost last week about using article 14 of the protocol, which allows for representations jointly from the Executive parties. I suggested that that might be a way to de-escalate and de-sectarianise some of the issues here. Picking up on a comment in the Chamber yesterday, the Member for Belfast East indicated his belief that, if all five parties went to the UK Government and said that we



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believed that an SPS arrangement would go a substantial way to easing the difficulties, he believed your Government would agree with that.

If that was the case, if the view of the vast majority of parties here, and therefore of the electorate, was that an SPS arrangement would be assistive in restoring balance and a sense of cohesion in Northern Ireland, given that protecting the Good Friday agreement is a core part of your agenda, would you view that favourably? Would you advocate to the Prime Minister to pursue that course?

**Brandon Lewis:** If all five parties came together in Northern Ireland and contributed to the debate and the discussion, feeding into Lord Frost's team, I am sure Lord Frost would see it as a positive thing. We have been engaging, as some of you know, with the parties in Northern Ireland. Particularly, consistently, the First Minister and Deputy First Minister have been part of discussions. From my memory, there has not yet been in any of those discussions a joint position between even the FM and DFM around solutions, but we are always open to people coming forward with proposals.

The SPS dynamic alignment options that the EU has put forward are not something that we would accept. We have proposed some very flexible solutions on a range of areas: pet travel, chilled meats—yes, that includes sausages—customs processes. All of those would avoid the burdens that we know could further destabilise things and cause problems for businesses. We have had no reciprocity yet from the EU. In fact, we have been seeing its briefings escalate.

We need to see that engagement from the EU. We are keen to continue engagement with the Executive. The Executive, particularly the offices of the FM and the DFM, but also other Ministers, through the Department of Agriculture, Environment and Rural Affairs and the Department for the Economy, at different meetings, are involved in this process. Any engagement there is a positive thing and a good thing. At the moment, I know Lord Frost's team is waiting to hear back from the EU in a constructive way around the proposals we have made that we believe can resolve these issues and, importantly, protect the Good Friday/Belfast agreement.

**Claire Hanna:** That is an important point for all the parties: that, if there is agreement on that, you would view it favourably.

**Chair:** There are a couple of quick ones from Stephen Farry and then, while I know we could spend all morning and after lunch discussing the protocol, we are going to move to a different topic. Stephen, you have the last word.

**Stephen Farry:** No doubt we will come back to the protocol on another occasion too.

**Chair:** I am sure we will.





Q177 **Stephen Farry:** There is a very broad spectrum of messages coming from the Government in relation to the protocol. At times, you talk about the protocol as not sustainable in its current form. Other times, you talk about trying to fix the problems. On other occasions, you talk about what are, in effect, supplemental agreements with the European Union that could potentially override some aspects of the protocol. First, do you see some dangers and drawbacks from that very wide spectrum of messaging, in terms of how that feeds into how people in the community in Northern Ireland respond and react to the situation? That is as opposed to maybe explaining to people, "These are the very narrow parameters in which we are operating".

Secondly, a lot of the current debate, perhaps for understandable reasons, is framed through the needs and perceptions of political unionism. Do you also recognise that, at the same time, the majority of people in Northern Ireland are more pragmatic around the protocol? In particular, businesses are pragmatic. They are not really talking about scrapping, replacing or the protocol being unsustainable. They are looking for some form of practical solutions to the problems. Indeed, they want a form of stability. If we end up with more unilateral action from the Government, that perhaps adds to the instability and uncertainty that businesses are facing.

**Brandon Lewis:** There are a fair few things in there. Coming to the first part of the two questions, those things are complementary. I will explain what I mean by that. In the context of where we are, it is logical and correct to say that the protocol is not sustainable in the way that the EU is currently envisaging it being delivered. It is not sustainable because people are not accepting of it.

There is, ultimately, a consent mechanism built in. If we want to see it survive that, it has to be sustainable. In a very real sense, that is the case. That is why we want to get these problems corrected and to see the protocol for Northern Ireland working. While we understand and want to respect the single market of the EU, which is the EU's focus, we want to make sure it is delivering on the Belfast/Good Friday agreement and the prosperity of people in Northern Ireland, and respecting the internal integral market of the United Kingdom. That is why we need to see some changes in the EU. That is why Lord Frost's team is doing this work on these dozen or more papers that we put into the EU. We need to see some response to that.

It is also fair to say, and actually some of the civic society made this point in the last meeting I had with Maroš Šefčovič, that it is important that we can show that politics works, that it has responded to the concerns people have raised, and that means that the EU is working with us to ease these challenges and burdens in Northern Ireland, and not prioritising the single market at all costs, without any due regard to the unique circumstances, as we always refer to them, in Northern Ireland and the Good Friday/Belfast agreement.



You are correct as well, Mr Farry, in the sense that, yes, there is a lot of focus in the public discussion and the media discussion on this around the impact and the response from people in the unionist community. There is an added issue for people in the unionist community that has particularly shifted in terms of strength, irritation and frustration after the EU tried to trigger article 16 back in January. The reality is that it did that. I appreciate that it realised it was a mistake, stepped back quickly and apologised, but it did it. That had an impact. It is an impact we are still dealing with and seeing in the community today.

That sense of identity is real, but there is a really important “but”. It comes to your point from a slightly different angle, but it is the same point you were making. This is not just about the unionist community. This is about the community of Northern Ireland. Regardless of anybody’s constitutional or religious views, or anything else, if you are a consumer or a business in Northern Ireland at the moment, you are, potentially, detrimentally affected by the Northern Ireland protocol.

With very limited exceptions—I accept there are some, but they are very limited—pretty much every single business or business representation group we have engaged with has had issues with the protocol that it wants to see resolved. We do not get people saying, “Leave it as is”. I am including in that politicians from both the DFM’s and the FM’s offices. The DFM herself was very clear with Maroš Šefčovič early on. Even now, in meetings I have been in, she is clear that there are issues with the protocol that need to be resolved.

Across the board, we need to be clear with the EU that this is an issue for Northern Ireland. Yes, there is an additional issue for those in the unionist community around that sense of identity. There is a challenge for businesses. I would argue some of the businesses that are most eloquent on this are businesses that have a different constitutional view to me. They are very clear that this is an issue. It is affecting the way they do business and their ability to do business. For consumers, if you cannot get access to a product you are used to having access to, that is an impact that should not be there. It is disrupting the everyday lives of communities and is not based on a constitutional view.

This is something we need to resolve widely. I also agree that the majority of people want to see a pragmatic, flexible way forward on this. That is certainly where we are and what we are trying to secure with our partners in the EU. Sorry, it was a very long answer, but hopefully I have covered all those points.

Q178 **Chair:** That was helpful. I have two very quick questions on New Decade, New Approach. First, is it the Government’s plan that the Bill that you introduced yesterday for Second Reading will have concluded all its stages before we rise for the summer?

**Brandon Lewis:** Is that on the Bill that had Second Reading yesterday?



**Chair:** Yes.

**Brandon Lewis:** I lost the sound there for a fraction of a second. That will not complete its passage through Parliament by the Summer Recess. I would not expect it to, no.

Q179 **Chair:** When do you expect it to?

**Brandon Lewis:** Ultimately, that is a matter for business managers, but it will go through Committee in the House of Commons. Obviously it then goes to the House of Lords. I am not going to pretend that I can control or have any idea exactly how long that would take. The intention for the timing of this Bill coming forward now was always based around it being in place and having Royal Assent before the May 2022 Stormont elections. I would expect this to have Royal Assent this year, but that is really a matter for the business managers and the processes through both Houses. I am afraid that is not entirely within my control.

Q180 **Chair:** No, that is fine. I appreciate that. Can you say a word or two about what your initial assessment is of the workings of the independent Fiscal Council?

**Brandon Lewis:** The formation of the Fiscal Council was announced on 12 March, which is a really good thing. It has Sir Robert Chote appointed as chairperson. It has been talking to a range of stakeholders, from my understanding, to get their assessments of the strengths and weaknesses of the public finance management, the reporting and scrutiny of that, in Northern Ireland. That is important.

It has been gathering views quite widely about how best to meet the requirements set out in NDNA, and the broader mission to bring greater transparency and independent scrutiny to the region's public finances. I look forward to seeing the final terms of reference, which I have not done yet. I look forward to seeing those final terms of reference later this year, when Sir Robert has completed that scoping work that he has started to do.

**Chair:** Let us turn to legacy now.

Q181 **Ian Paisley:** I had a meeting earlier in the week with the legacy champion, Danny Kinahan. He expressed to me concerns that he thought that, once again—let me put it not in his terms but in my terms—the dead hand of the NIO was being seen in this legacy issue. I wonder if you could give us a firm date as to when you expect to bring forward legacy legislation, or is this going to face interminable delays?

**Brandon Lewis:** I cannot give you a firm date, because, ultimately, dates for introducing legislation are not decided by Departments.

Q182 **Ian Paisley:** Can you give us a month then?

**Brandon Lewis:** I stand by what I said yesterday. I still want to have something before Parliament before we finish for the Summer Recess.



Also, I have to be very clear. Whether it is your phraseology or that of the veterans' commissioner, it is inaccurate to frame the role of the NIO in that way. As you know, Mr Paisley and Committee members, it is a hugely complex issue. It is an issue that has been faced for several decades now, arguably. If this was a simple issue to deal with, we would not be talking about it. Our predecessors would have dealt with this by now.

We have to make sure that we take forward a piece of work that not just goes through Parliament but actually delivers for the people of Northern Ireland. It has to be genuinely able to deliver on an ability to see reconciliation and information recovery. I personally think there is some really important work to do around the oral histories, which I know is part of Stormont House. The ability of people to tell their story and see their story told is hugely important.

We are very clear that, as I said yesterday on the Floor of the House, we will deliver on our pledge to veterans to end that cycle of investigations, which is not serving anybody. We have seen a number of examples in just the last couple of months that highlight that the current system is not working for everybody. We have to make sure that, when we bring this forward, we do so in a way that works and delivers on those key focuses, for victims particularly and for the future of Northern Ireland. It has to be one that the parties and victims' groups in Northern Ireland are engaged with and supportive of. That is the work we will be doing in the weeks ahead. We want to be working with our partners in the Irish Government as well.

**Q183 Ian Paisley:** One of the stakeholders that it does not appear to be working for is, of course, veterans. There are about 300,000 of them, so they are a significant stakeholder. I am trying to get myself into the space where the Government are. When I speak to the Secretary of State for Defence and others, I am left with the opinion that the Government view is that the Stormont House agreement is actually dead and that that is a fact of life. That is not because of any desire on their part to kill it off, but because it now has zero traction and is so old. Therefore, fresh thinking is required.

There are some people, of course, clinging to the title of Stormont House agreement as some sort of totem that is the only way forward. The fact of life, from where the Government are, is that it has zero traction and is therefore dead. On the military aspect of dealing with cases that are complex and have caused controversy, do the Government intend to publish a statute of limitations any time soon and, if so, before the Summer Recess also?

**Brandon Lewis:** To the first part of that comment, we are engaging with veterans' groups as well, widely. We have been engaging with them, including last week as well actually, where the Veterans Minister and Robin Walker had a series of engagements in Northern Ireland. Also, I have been engaging with veterans' representatives, both here in



mainland Great Britain and in Northern Ireland, and continue to work and engage with the veterans' commissioner himself.

There are a large number of veterans. Colonel Stewart will be more alert to this than pretty much any of us. Veterans are victims as well. They have lost friends and colleagues through the Troubles as well, so they are equally an important part of the stakeholder group. We have to make sure we are working with and representing them, and that their voice is properly heard. We will deliver and we are absolutely clear that we will deliver on that pledge we have made.

As I have said before a number of times, Stormont House was 2014. If it was deliverable in the format that was discussed around 2014, it would have been done by now. It is not true to say that all parties agreed with all of Stormont House. As we all know, there are some who did not agree with it at the time. Quite importantly, there are also lessons that we have to learn. We have seen that things have changed over—

Q184 **Ian Paisley:** I lost you for a slight minute there. Could you just repeat that: "It is not true to say"?

**Brandon Lewis:** I was saying that it is not true to say, as some people make the case, that all parties agreed to Stormont House. That is not the case. There were political parties and others at the time who were not entirely in agreement with Stormont House. More importantly, we are seven years on and things have changed. We have learned things since then. We have to take the learnings from what we have seen through things like the experience of Operation Kenova. We have seen cases in the last couple of months and others, which we have all spoken about before, that have highlighted that the current situation is not working.

The Government's position and my personal view—I have said this before—is that the principles of Stormont House are good. There is a lot in Stormont House that we want to deliver. We have to look at how we do that and take this forward in a way that can actually be delivered, so that we are not still talking about this as a concept in five years' time or, indeed, even by next year. By next year, this should already be happening and in action. We have to be practical and realistic about that. As I say, I am still determined and very ambitious to deliver something for parliamentarians before we break for Summer Recess.

Q185 **Ian Paisley:** Ulster Human Rights Watch, which is a pressure group that looks in particular at abuses around this area, has brought to my attention a number of cases where the border has come into play. Indeed, we have received evidence that there are several hundred cases where the Republic of Ireland has a significant role in terms of the truth recovery aspect.

Is it not the case that there is no truth recovery process available in the Republic of Ireland for anyone here who has been a victim of that to avail of? Yet there are hundreds of cases where the border has been used and where there are records, activities and knowledge in the Republic of



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Ireland that we cannot get our hands on. What steps can you take in a new process to get the Republic of Ireland's Government to face up to opening its records?

**Brandon Lewis:** I know the previous First Minister raised some issues with the Irish Government around cases in Northern Ireland. From a practical point of view, if there are cases that people want the Irish Government to pick up or that they feel they are not taking forward, I am very happy to bring that to the attention of the Irish Government myself. I have an opportunity to do that at the BIIGC tomorrow, but we will continue to engage and I am very happy to do that.

In terms of moving forward, in a wider sense that is one of the reasons why it is important that we are working with and engaging with the Irish Government around the plans going forward, because this is something where the Irish Government have a role to play. It is important that we are working together to find a solution that can be delivered both across the UK and in Ireland. That is why I want to make sure we are properly engaging with them on that as well.

Q186 **Ian Paisley:** Thank you, Secretary of State. I did let you away with an answer on when you intended to publish the statute of limitations. Do you have any idea about that?

**Brandon Lewis:** I am sorry. That was the answer I gave, in that I am still very keen and determined to put something before parliamentarians before the Summer Recess.

Q187 **Chair:** When your proposals come forward—if you have not given consideration to this, it would be enormously helpful—would you be prepared to publish or at least provide this Committee with a list of those groups, organisations and individuals with whom you have consulted over your proposals as they come forward?

**Brandon Lewis:** In principle, yes. The caveat I would put to that is that there will be some security issues for some individuals.

**Chair:** I accept that, but within the parameters of security.

**Brandon Lewis:** Within the parameters of the people we are talking to being willing to, yes, but I will probably have to put the caveat in. There is a wider range of people who we cannot list individually. Mark Larmour is on with us, so he can pick this up. We will put something together for you.

Q188 **Claire Hanna:** Just to pick up on that, Secretary of State, are there any groups engaging with victims and survivors, or political parties, that have expressed support for your Government's proposals as they currently stand?

**Brandon Lewis:** As I say, we are in engagement with people now and we are looking to have engagement over the next few weeks. That is something I will talk about a bit more when we are able to come forward



with proposals. As I say, we want to come forward and I want to put the proposals before Parliament before it finishes for Summer Recess, but I am going to wait, before I comment on what that is and the structure in which we have come to that, until we have finished those discussions and progressed things further with a range of partners and parties.

**Q189 Claire Hanna:** That detail notwithstanding, would it be fair to say that, if there is no support from those groups, the political parties here, Dublin or Washington, you could not credibly say that the proposals would aid reconciliation?

**Brandon Lewis:** I have said this before. First of all, this is a hugely complex issue. One thing that is true to say is that pretty much everybody you speak to has a slightly different view and ideas around this. That is understandable, because people come with different experiences and different perceptions, quite rightly and quite understandably. That is why part of the challenge of the job for us is to bring that together in such a way that we can then deliver something that works, always accepting that people will have different views around anything, especially something as complex and sensitive as this.

In terms of the reconciliation, I am very focused. The reconciliation part is hugely important, but I mean reconciliation in the wider sense as well. As an example of that, one of the things that all of us together need to do much more—again, this was raised on the Floor of the House yesterday—is integrated education. If we want to reconcile society, we have to make sure society is properly integrating and coming together. When you have a situation like you do at the moment where, far too often, those of us who work in Northern Ireland can talk to people who first met somebody from a different religion and constitutional background, if you like, at the time they went to either work or university, that is not going to be driving the reconciliation of the community in the long run. We have to look at reconciliation in quite a wide and ambitious way.

**Q190 Claire Hanna:** There is no doubt about that, but I suppose we can do both. We can do present day reconciliation and we can aim for legacy proposals that aid reconciliation as well.

I just wanted to ask briefly about your intentions around civil actions and inquest. If the door is going to be closed on criminal investigations and prosecutions, do you intend to try to do the same on inquests and civil actions?

**Brandon Lewis:** As I say, I am still focused on bringing a proposal for parliamentarians before we finish for the Summer Recess. I have committed to this Committee before, and I will stick by this, that, when we do that, I am very happy to come and have a specific session on those proposals. It is probably better to discuss that with the proposals in front of us. Then I can talk to you about exactly what we are proposing and what the feedback is that has led to those decisions in terms of policy.



Q191 **Claire Hanna:** I have one tiny one on engagement. Have you spoken to the Lord Chief Justice on the basis of his fairly exhaustive work on inquests to date?

**Brandon Lewis:** We are talking to a wide range. As I say, I am not going to get into the details of everybody individually, because it is not fair on them, until we get to that point. I am very clear that we are talking to a very wide range of people. I am confident that we are covering the whole breadth of interests, experience and views on this issue. I am always happy to hear from more people. If anybody on the Committee or any organisation has a suggestion that you think we may not have got to, I am very happy to make sure we do that in the weeks ahead. As I say, I will go into detail about some of those conversations in terms of who and what, exactly as the Chair outlined, at the appropriate point as we move forward.

Q192 **Chair:** Secretary of State, on this, we are all realistic enough to know that there is a huge amount of stuff on your plate at the moment. If you are in a position to bring forward or at least publish the direction of travel and proposals, could I urge you on behalf of the Committee to commit to making an Oral Statement in the House rather than just a Written Ministerial Statement?

**Brandon Lewis:** That is a very fair request. I will have a look at that. I am not going to say yes, because it is not entirely in my control.

**Chair:** I appreciate that.

**Brandon Lewis:** I do not have a problem with that in principle. I will look at whether we can do something like that at the right time at the very least, if that is the appropriate thing to do, yes.

**Chair:** Otherwise, I am sure there would certainly be an application for an Urgent Question to the Speaker.

**Brandon Lewis:** I have no doubt.

**Chair:** Whether it would be successful, I am not sure.

Q193 **Stephen Farry:** Just picking up on the question of consultation, I am not quite sure whom you have been talking to, but at least in public all five Executive parties have expressed reservations around what may be coming down the tracks. Virtually every major victims' group across the spectrum in Northern Ireland has expressed concerns about what may be coming. Indeed, the greater body of academics and human rights groups have also expressed deep concern.

Stormont House was agreed at the time by the two Governments and many of the political parties, but are we potentially looking at a situation where the Government may end up imposing a legacy solution as such over the heads of virtually every stakeholder in Northern Ireland? How could this be viewed as legitimate in that context?





**Brandon Lewis:** We are getting a bit ahead of ourselves in a sense there, Mr Farry. We have not yet put forward our proposals. I appreciate that everybody has views about what they have seen in the press. I am very clear that my focus is on working with stakeholders. I appreciate that is a bit of a management term, but I mean victims groups, veterans' societies and all interested parties—I cannot think of a better word than “stakeholders”—across Northern Ireland and beyond. It is not just people in Northern Ireland. There will be people beyond Northern Ireland who have an interest in this as well.

When we come forward with a proposal, I am very clear that it will be something that I think is deliverable. Again, I come back to the point that you mentioned about Stormont House. If Stormont House was deliverable in the format that was discussed in 2014, we would not be talking about it in 2021; it would have already happened. We need to be cognisant of that. There are lessons to learn over the last seven years, not least of all from the excellent work done by Operation Kenova and what we have seen in some of the cases recently.

It is right that we continue that work with people. We will come forward with some proposals in due course. As I said before, I am sure that you will be grilling me in depth around that and how we have come to those conclusions in a future Committee meeting, which I will happily do.

Q194 **Stephen Farry:** Stormont House was referenced in New Decade, New Approach as the legacy system as recently as last year. Finally, Secretary of State, can I just confirm that, if we were to see an end to prosecutions in relation to veterans, any such measure would have to apply to all Troubles-related prosecutions? It would also, therefore, cover IRA and loyalist terrorists, if that type of scenario were to unfold.

**Brandon Lewis:** There are two parts to what you said. In terms of NDNA, yes, you are correct. That is why I am very clear that we want to deliver on the core principles of Stormont House. They are good, particularly on information recovery, reconciliation and oral histories. It is about looking at how in practice we can do something that is going to work, which means that people get information, that we actually get that accountability, that we get to the truth and that we get reconciliation. As I say, I am personally very hugely committed to delivering a structure for an oral history so that people really can see their story properly told.

I am very clear that, whatever we do in Northern Ireland, the reality is that this is set out in the Belfast/Good Friday agreement and it has to work across the whole community. It applies right across, as it did in the Belfast/Good Friday agreement.

**Chair:** Secretary of State, we are going stay on the subject of victims, but we are going to switch to Libya and Gaddafi.

Q195 **Scott Benton:** Good morning, Secretary of State. Thank you for joining us. William Shawcross said that more research might identify how



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everybody who deserves compensation can receive it. Do the Government need to do more research and work in this area? If so, can you confirm whether that work has been undertaken so far or at least has started to be undertaken?

**Brandon Lewis:** As you appreciate, this area is led on by the Foreign Office. First of all, I want to say again that I know we all have huge sympathy for the UK victims of Gaddafi-sponsored terrorist atrocities and, indeed, all victims of the Troubles. In terms of the specific question, we are working hard. I know that the people at the Foreign Office and in wider UK Government are working hard to support the UN efforts to stabilise things in Libya. A more stable Libya would be in a better position to progress how we deal with the legacy of the Gaddafi regime in a wider sense. That is the work the UK Government are doing.

Q196 **Scott Benton:** The situation in Libya is clearly fluid at the moment. In the absence of a Government that can move ahead with this, what would you say to the victims, from whom this Committee has heard, who have now been waiting 30 years to receive compensation and justice for their family members and loved ones? Are you content just to wait for the situation in Libya to play out until they can receive the compensation they deserve?

**Brandon Lewis:** People have been through this. I recognise the unexplainable pain and suffering that the victims of violent crime, including, obviously, terrorist atrocities, have been through. As I say, there are planned Libyan elections. Following those elections, once Libya is sufficiently politically and economically stable, we will be, as a Government, engaging with the elected authorities in Libya on the issue of compensation for victims of the Gaddafi-sponsored terrorism atrocities.

At the moment, as I say, the reality is that we have no legal basis to seize frozen Libyan assets or even to refuse the release of frozen assets once the conditions for delisting or unfreezing those assets, as set out by the UN Security Council resolutions of 2011, are met. As I say, we will be engaging with those elected authorities on the issues as soon as we can.

Q197 **Scott Benton:** The Treasury benefits from around £5 million every single year in taxation accrued from those frozen Libyan assets. Of course, there is nothing whatsoever to stop the Government from ring-fencing those moneys specifically for victims of Gaddafi IRA terrorism. I am sure the £5 million pot would not cover all the compensation required, but it would be a politically expedient way for the Government to demonstrate that we recognise how important this issue is and are willing to do something about it, in lieu of the situation in Libya progressing.

Is there any specific reason why the Cabinet or Government will not move ahead and use that £5 million specifically for this purpose?

**Brandon Lewis:** As I say, in terms of the assets, there is no legal basis. At the moment, the Government's position is that we do not see that it



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would be in the wider UK national interest to make the release of those assets conditional. I do get your point around the interest—

Q198 **Chair:** Secretary of State, I am sorry to interrupt. Mr Benton was not referring to the assets that were frozen, but the taxation that is accrued by the Treasury, which it would be perfectly legal to hypothecate or ring-fence for purposes. That would be a Treasury decision.

**Brandon Lewis:** As I was going to say, I appreciate that you are talking about a different part. You have just confirmed that, Chair. As I say, the Government will be talking to the elected bodies in Libya about this, as and when we have that stable and sustainable position. It is not our position at the moment to move further than that. As I say, I am happy to engage with the Foreign Office and the Treasury around what you have outlined and come back to you if there is any different position to that in the wider Government's view at the moment.

Q199 **Scott Benton:** Secretary of State, this is a point in terms of that £5 million. This Committee has pressed James Cleverly on this on a number of occasions, and I suspect that we will continue to do so. Certainly from my point of view, we have not received an adequate explanation as to why we cannot utilise that £5 million.

Moving beyond that argument somewhat and going back to the discussions with the Libyan Government, hypothetically, is there a political and moral argument for only consenting to releasing those Libyan frozen assets at the UN if there is compensation in return for UK victims?

**Brandon Lewis:** I am afraid that is not something I can answer. That is something you would need to put to Foreign Office Ministers. At the moment, our position is as I have already outlined. There is no change to that position.

Q200 **Chair:** When the Foreign Office released its Written Ministerial Statement, Secretary of State, had it consulted you on that?

**Brandon Lewis:** Yes, we saw the Written Ministerial Statement.

Q201 **Chair:** You saw it, yes, but were you consulted on it pre-publication?

**Brandon Lewis:** I think we were, but I would have to double check and come back to you on that.

Q202 **Chair:** We have heard from Mr Shawcross—indeed, it was in the WMS—some concern, which frankly none of us on the Committee recognise as a likely scenario, about some sort of compensation envy: that somebody might receive a package of compensation because of Libya and that might lead to their neighbour, who was a victim of a terrorist attack that was nothing to do with Libyan-sponsored activity, being very miffed and angry, and that this would lead to all sorts of community tensions.

None of us across the parties that serve on this Committee recognises that as a scenario. None of the victims we have spoken to recognises that



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as a scenario or likelihood. Where in the name of all that is holy did the Foreign Office scrape up that flimsy excuse for inaction?

**Brandon Lewis:** I do not recognise that point.

Q203 **Chair:** It is in the WMS.

**Brandon Lewis:** In Northern Ireland we have the victims' payment scheme, which opens in August. That will progress. As I say, the Justice Minister announced a couple of days ago that that is going to open. The Lord President is ready to open that at the end of August. That will continue to progress and be delivered on.

Q204 **Chair:** You mentioned that Government have huge sympathy, which we have heard for decades now. To quote the old phrase, sympathy butters no parsnips. What are the Government actually doing? "We are just going to wait". It all seems rather supine. The Government are going to wait to see what happens in Libya. They cannot even have a political conversation at the United Nations about some sort of quid pro quo. We are the penholder for Libya. We are in a strong position. The Government's position seems to be very relaxed, laid back and reactive to events rather than trying to shape them. Is that a fair assessment?

**Brandon Lewis:** To be fair, the team at the Foreign Office are always trying to shape things and move things forward. You have to make sure you are doing that in the right context. It is important that they do that when they have stable Government and authorities in Libya. The reality is that Libya—you used this phrase earlier—has been in a state of flux and a very delicate position for some time. It is something that the Foreign Office are very alert to and will want to continue to move forward. This is a Foreign Office lead.

**Chair:** I accept that.

**Brandon Lewis:** The Foreign Office is always working on these issues, whatever they are, around the world to move forward positively with the interests of UK citizens.

Q205 **Chair:** You will be aware that the Foreign Office effectively set up a Libyan support group or a little unit within the FCDO. We have taken evidence that, effectively, the Government have said that victims must paddle their own canoe in trying to secure compensation directly from Libya. When a group of victims had booked in to go to Tripoli to talk to people, they asked the Foreign Office to provide an interpreter, which is a fairly basic request, I would have thought, for our consular service. The Foreign Office said no. Even when victims are trying to sort out their own problems at the urging of the Government, the Government are not even providing the most minimum of help of a translator or, indeed, any form of logistics help in terms of transport organisation.

We appreciate, Secretary of State, that this is not in your purview—this is the Foreign Office—but could we ask you to engage directly with both the



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Foreign Secretary and the Minister of State for North Africa and the Middle East to bring to their attention in clear and stark terms the seriousness with which everybody in Northern Ireland views this issue?

**Brandon Lewis:** Yes, I am very happy to take that forward, absolutely.

**Chair:** Thank you. Let us turn to the very exciting topic of GDPR, the law enforcement directive and data adequacy, and who better to bring that topic to life than Mr Stephen Farry?

Q206 **Stephen Farry:** I just wanted to check where we are with data adequacy. Secretary of State, as you appreciate, it is of fundamental importance to, in particular, law enforcement in Northern Ireland but also to the wider business community. I appreciate that we are on a six-month interim period with the European Union in that regard. Is this something that we are likely to get a clear solution on in the very near future?

**Brandon Lewis:** That is very fair. I would just take the opportunity to make one point. The relationship and the working between PSNI and the Garda have been absolutely super. They have very, very good working relationships. As I say, I have been very impressed that they have continued to work together in a really positive way. I had a very good meeting with the Justice Minister in the Republic of Ireland just a few weeks ago, and I will be seeing the Minister again as part of the BIIGC meetings tomorrow.

The EU has recently set out some draft decisions on the adequacy of our data protection rules. They would mean that data can keep flowing freely between the UK and the EU. We welcome that. At the moment, my comment would be that we would just urge the EU to adopt those decisions, not only without any complications but without any uncertainty and delay. That is a positive thing. Hopefully, it will rectify that situation pretty swiftly now.

**Stephen Farry:** That is one that I definitely agree with you on.

**Brandon Lewis:** There is always more that brings us together than divides us.

**Chair:** I am tempted to pause the meeting there and bank that one.

Q207 **Mr Goodwill:** Good morning, Secretary of State. I would like to ask you about some of the outstanding transportation issues. One issue that has been thrown into stark relief because of Covid is the lack of air connectivity. I know that from my own regional airport, Leeds, I could usually fly to Belfast. Recently, when I was looking for a flight for September, it looked like a connection in Southampton, London or Aberdeen. Are you monitoring the situation with regards to air connectivity from regional airports? If so, are there any steps that you could take, as things start to open up in the economy, to try to kickstart air flights again?



**Brandon Lewis:** I have some good news on that, in the sense that I happen to know from some personal research in the last 24 hours that there are now flights from Belfast into Leeds. British Airways has a flight. There is the ability to do that now. I have been looking at doing that very flight myself in the period ahead of us.

Yes, there has been a real challenge through Covid. We put in financial support for some of the air connectivity over the last year or so through Covid. As we come out of that, yes, there is a real challenge around making sure that, as the economy opens up, we are encouraging those routes. I know the Department for the Economy in Northern Ireland is hugely focused on this, and we will support and work with it on that. The airports themselves have excellent management teams, particularly those dealing with Belfast City Airport and the Derry/Londonderry airport. They are looking at how they can encourage and drive more of those regional flights that are so important for the connectivity of the whole UK.

Yes, that is absolutely something we will be looking at, supporting in appropriate ways and encouraging. A lot of it is going to be driven by consumers and, as we open up, people's desire to move around. A lot of consumers across Great Britain will be looking at where they can spend their summer, if they are not going to be doing flights to other countries or long-haul flights. I would hope that they see that there is a really good opportunity at home in the UK to see Northern Ireland's beauty, splendour and amazing hospitality, and jump on a short internal flight to do that.

Q208 **Mr Goodwill:** Indeed, people from Northern Ireland could get a short internal flight to Leeds and enjoy North Yorkshire as well. I want to ask you about land connectivity. Have you ever personally driven on the A75 from Carlisle to Stranraer or Cairnryan?

**Brandon Lewis:** As it happens, I have once. It was some time ago. It was an experience.

Q209 **Mr Goodwill:** Would you like to enlarge upon that experience?

**Brandon Lewis:** Even allowing for being within the speed limits, it was not the fastest journey I have ever done, from my memory. It was a while ago.

Q210 **Mr Goodwill:** Could I have some assurances that the upgrade that has been announced on that piece of tarmac will go ahead? There are other transport projects that I know you are looking at, but that is something that is within grasp and within a timescale that we could probably see in our lifetimes.

**Brandon Lewis:** I will take that as noted and understood.

Q211 **Mr Goodwill:** Finally, turning to the elephant in the room, or dare I say the white elephant in the room, is the prospect of a bridge or a tunnel still in play? Have you had discussions with the Transport Secretary about



that? In particular, have any detailed cost-benefit analyses been done? Have you carried out any analysis, for example, of issues for high trailers on a bridge or dangerous goods in a tunnel?

**Brandon Lewis:** The connectivity review itself will make the recommendations around how we best improve connectivity. We have to wait for Sir Peter's report. I recognise that the A75 is a hugely important route for freight as well. We have had conversations. I had a conversation with Sir Peter Hendy myself as well. It is important that we look at everything we can.

I personally am very, very supportive of the concept of physical connectivity between Northern Ireland and mainland Great Britain. I cannot prejudge what will come out of the report and the business plan work that may well follow that, but the principle of it is a good one. It is not just good for the United Kingdom; it is good for the island of Ireland and therefore for the Republic of Ireland as well, in getting that connectivity across all our markets.

Again, coming back to your opening question around air flight, one of the things we have seen through Covid is the challenge to movement for freight, apart from anything else, when there are pressures on both ferries and air travel. Physical connectivity would have made that less of a pressing issue and reconfirmed the importance of trying to do something like that.

In the UK, we do need to be generally more ambitious around large infrastructure projects that have a long-term benefit. We benefit from the things that our forebears did many, many years ago in Victorian and Edwardian times. We have to be brave enough to make those decisions as well, always being clear about the business case and good use of public money. As I say, the principle of structural connectivity between Northern Ireland and Great Britain is a very good thing.

Q212 **Mr Goodwill:** Finally, would you agree that the estimate of £20 billion for a bridge, tunnel or, indeed, a combination bridge and tunnel across the Irish Sea is a realistic estimate? Have you looked at ballpark figures?

**Brandon Lewis:** I am not going to start a quantity surveying career this late in my life. I do not know what the final fees will be. We all need to wait. We should let Sir Peter finish his report, look at what comes out of that and then look at what the right business case is for what we do. As I say, as a matter of principle, this is a very good thing. It would be an important thing from an economic and prosperity point of view for the whole of the United Kingdom and, as I say, the Republic of Ireland as well.

One of the things we have been working on—I know the Prime Minister is keen on working with the Taoiseach as well around the Shared Island Unit—is that work around infrastructure and connectivity across the whole of the island of Ireland and, for us, across the whole of the UK.



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Q213 **Chair:** I suppose I ought to just point out, Secretary of State, that Mr Goodwill asked you to make a commitment of spending on roads from Carlisle within our lifetimes. Could I ask your actuaries to discount Ms Jones and Mr Benton from that? If we went on their lifetimes, you would have another 60 years to deliver it. It would be much better to go on Mr Goodwill's. You probably have—I do not know—three and a half months or something.

**Brandon Lewis:** Mr Goodwill is looking good for a fair while to me at the moment.

**Chair:** I think so. It is that good Yorkshire air. That is what keeps him going. Can we turn to the proposed free trade agreement between the United Kingdom and Australia?

Q214 **Fay Jones:** Good morning, Secretary of State. Being from Wales and from a farming constituency, I know I am being a bit of a cliché by asking about farming. Nevertheless, the Secretary of State for International Trade has announced an agreement with Australia. I wondered if you could give us your assessment of the impact of that agreement on Northern Ireland farmers.

**Brandon Lewis:** It is a very important point. The deal is a positive deal for Northern Ireland. Northern Ireland itself exported some £6 million worth of beverages to Australia in 2020 alone, even in a year where we were all seeing structural changes and struggles through Covid. This deal removes tariffs, for example, on beverages. That makes it easier for products like Northern Ireland's wonderful whiskey to get to Australia. That is a hugely important sector.

The deal will also support Northern Ireland's life sciences sector, which employs more than 5,000 people at the moment. Northern Ireland exported some £13 million worth of medicinal pharmaceutical products to Australia again just in 2020 alone. The tariff cut of up to 5% for that as well as the removal of administrative red tape is a very good thing.

It is also worth us all bearing in mind that around 90% of all the goods exported from Northern Ireland to Australia are manufacturing and machinery-based goods. Many of those are used extensively in the mining, quarrying and recycling sectors. Indeed, I saw a Northern Ireland company supply all the equipment for that even in Derbyshire recently with one of our colleagues.

These kinds of exports will have their tariffs removed, and that is a big boost to exports for Northern Ireland. Again, there will also be procurement opportunities and some business mobility provisions, which make it easier for business travel between the UK, and therefore Northern Ireland, and Australia. As I say, there are some real opportunities there.

Q215 **Fay Jones:** Specifically, I would like to understand how you think Australian goods will transfer into the Northern Ireland market under the





terms of the Northern Ireland protocol. How do you see that playing out?

**Brandon Lewis:** That is a fair point. I know that you mentioned this in your previous question and I did not quite touch on it, so I will pick it up. In terms of your point around farms as well, this actually opens up potential opportunities. It does not undercut businesses at all when you look at the structure of how the deal works and the structure of how the Australian market works.

In terms of the protocol, we have been clear in our negotiations that Northern Ireland will have access to these, reflecting the unique circumstances of Northern Ireland under the protocol. The protocol itself is also very clear that Northern Ireland will be able to benefit from those trade deals. I know there are big concerns raised around the impact of the protocol, but we are very clear that Northern Ireland will have access.

Q216 **Fay Jones:** You do not see any friction. I know the protocol is currently being discussed and potentially being amended. You do not foresee any friction for Australian goods coming into Northern Ireland with an amended protocol.

**Brandon Lewis:** I am going to be completely honest: no, I do not. You are right that within this context there are issues with the protocol more generally and there is some friction being created by the protocol that we want to resolve between GB and NI anyway. That needs to be resolved. In that context, I will bring in Colin Perry.

**Colin Perry:** It has been a principle of the way that we have been working within Government and that the free trade agreement has been discussed that the protocol has to be within it. Therefore, we have engaged with the Department for International Trade to ensure that Northern Ireland can benefit from free trade agreements, whether it is with Australia or the other ones that the Government have in prospect, to ensure that the benefits of the free trade agreements go right across the UK and will include Northern Ireland as well.

Q217 **Fay Jones:** I wanted to come back to the point around farming in particular. The deal does contain a number of safeguards, as the Government would put it, to ensure that all UK farmers are not undercut by Australian farmers, who are, by their very nature, able to farm on a much more expansive scale than we are in this country. I am keen to understand the discussions that you have had with the Secretary of State for International Trade and other Cabinet colleagues about how you might support farmers if there is a distortion of trade or any flooding of the market. What support measures do you anticipate being put in place?

**Brandon Lewis:** If you look at the structure of the deal, you have staging points in the deal. If you look at the structure of the deal, there is no reason why farmers would be detrimentally affected in that way, particularly when you look at the structure of the Australian market, where their market is, where their value is, as well as the value that we



have here of UK-produced products. We can all play a part in that. I do not envisage that being a particular challenge.

We are always assessing the impacts of everything across the whole economy in BEIS and the Department for the Economy in Northern Ireland. We are supportive on that. If we do see things across a range of areas, we will always look at what we can do and where we can give support, ensuring that we give the private sector the freedom and space to evolve and develop. As I say, I do not see a detrimental impact in that way.

**Q218 Fay Jones:** More widely, this is the tip of the iceberg as far as the Secretary of State for International Trade is concerned. Indeed, the Government have been very clear that they want to reach a number of agreements around the world with New Zealand, the United States and other counterparts. What discussions have you had on other deals that may be in the pipeline?

**Brandon Lewis:** I am not going to comment in terms of discussions around trade deals. Trade deals and negotiations are taken forward by the Department for International Trade. We work with it to ensure that Northern Ireland's voice is heard at the right and appropriate times. They have always engaged fully with us. I have to say that the Department for International Trade has been very engaged in Northern Ireland. It is looking to open a hub in Northern Ireland.

We have had virtual border trade meetings—we are all having to do things virtually—with Northern Ireland, and we will be hosting border trade meetings in Northern Ireland later this year. Northern Ireland is very much on the radar of the Department for International Trade. I and the Secretary of State speak regularly.

**Q219 Fay Jones:** I do not think I am going to get any more out of you on that.

**Brandon Lewis:** No, that is all I am going to say. We are always talking and making sure that Northern Ireland's voice is well heard, as is the Department for the Economy in the Northern Ireland Executive, to be fair.

**Q220 Chair:** The Agriculture Minister at Stormont does not agree with you, does he, on these benefits to Northern Irish agriculture?

**Brandon Lewis:** The Agriculture Minister in Northern Ireland has raised the very point that was just made here in the Committee, but, as I say, our assessment—I made this point to the Agriculture Minister—is that, if you look at the structure of the deal as it is being formalised and as we move forward, it is one that can work for Northern Ireland. It is of huge overall benefit to the UK and Northern Ireland. As this develops and as we secure the deal, farmers in Northern Ireland will ultimately see that this is not a threat to them. Actually, in the wider sense, it creates opportunities.



Q221 **Chair:** Mr Campbell has had to go. He sends his apologies. He was going to ask about the centenary commemorations. I will take up his question for him. What assessment have you made of the effect of the centenary commemorations on community cohesion? What steps have the Government taken to facilitate international awareness and understanding of the significance of the centenary?

**Brandon Lewis:** From the start of the year, we have been working to develop and deliver an approach that is respectful and inclusive in tone. The independent historical advisory panel has been hugely balanced and very helpful in that regard. It has done a superb job, which has been well credited across the board. We need to focus on making sure we remember the key dates across the year. Just yesterday was the centenary of King George V's speech and his visit with Queen Mary.

We have launched the Our Story in the Making brand. We took an extensive period of insight gathering to measure cross-community attitudes towards the centenary and how it should be marked. I want people, if they want to, to be able to celebrate the centenary. I want to make sure we are celebrating Northern Ireland. As I say, it is another opportunity to promote Northern Ireland around the world.

As you say in the second part of Mr Campbell's question, we are working with the Foreign Office and other Departments across UK Government to make sure not just that the centenary of Northern Ireland is acknowledged in the UK, but that we are using it as an opportunity to promote and deliver Northern Ireland around the world.

In the first part of this year we have been somewhat restricted because of the Covid restrictions, which is why the programme is weighted towards the second part of the year. There is still a huge amount of work going on with young people, particularly with the schools across Northern Ireland, with the tree-planting programme and working across creative arts. As I say, a whole range of work is being taken forward with some more events later in this year, as well as the announcement we had recently around Royal Hillsborough as well.

Q222 **Stephen Farry:** I just want to ask a few questions about some funding issues. As the Secretary will appreciate, when we had access to European funding in Northern Ireland, those issues were largely controlled by the Northern Ireland Executive. Indeed, I had direct responsibility for the European Social Fund at that stage.

As a prelude to the wider shared prosperity fund, we have the levelling-up fund and the community renewal fund. There is a lot of frustration in Northern Ireland at present that those are being delivered over the heads of the Northern Ireland Executive, which in theory have the capacity, local knowledge and experience to deliver those types of funding projects. Could you maybe outline the rationale for why those are being directly managed by the UK Government over the head of the Northern Ireland Executive?



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**Brandon Lewis:** I am not sure, but this is one of those areas where we might even disagree, Mr Farry.

**Chair:** It was all going so well.

**Brandon Lewis:** We can always agree to disagree. As I say, I would not describe it in those terms. Those European structural funds are going to be replaced by the UK SPF. The UK, instead of the EU, will be putting those funds out there. As you say quite rightly, this year funds are coming from the Ministry of Housing, Communities and Local Government. To an extent, they are going to help us learn about how we can best implement the UK SPF funding.

Yes, this is direct UK Government spending, because we want to make sure we can deliver into organisations across communities. That reflects the agreement in NDNA around UK Government Departments being more involved and having more of a presence in Northern Ireland. It is also part of the UK internal market Bill decision that we will be able to deliver some of these things, so we can deliver those funds in that way.

As for where I disagree, it is about the way this is being done. We will be looking to work with the Northern Ireland Executive. I know the Ministry of Housing, Communities and Local Government has already had some meetings with the Executive and will be looking to continue to engage. I certainly will ensure that that happens so that we are working together. It is right that we are looking at how we can best and most efficiently ensure that organisations, local authorities and groups can access these funds to be able to move forward quickly, efficiently and effectively for people in Northern Ireland.

Q223 **Stephen Farry:** To date, we are probably talking about double-figure millions of pounds around the community renewal fund, but the much bigger issue is going to be what happens with the shared prosperity fund. I appreciate that there are still spending decisions to come on this later this year.

The very particular difficulty there is that Northern Ireland received money from the structural funds that was based upon objective need. At times, Northern Ireland received well in excess of its population share. From various soundings, it seems that Northern Ireland will get about a Barnett consequential share of the shared prosperity fund spending, which potentially is going to leave major shortfalls in a whole range of spending areas: for example, tourism, regeneration, investment in apprenticeships, disability employment, women's employment issues. There is a broad range of areas that have traditionally relied on European funding.

The Executive are potentially facing a shortfall of tens and tens of millions of pounds in areas where previously they were able to draw down European funding. Are you conscious of those huge concerns both at an Executive level but, more importantly, in the huge number of community



and voluntary sector groups that have historically depended on such funding, which is potentially going to dry up and leave many people high and dry in terms of both services and jobs?

**Brandon Lewis:** We have been very clear. In terms of the decisions around how the funding will be administered, you are quite right: those decisions have not been made yet. It is premature to make early decisions around that. I also recognise that organisations like to have certainty as early as possible. I do get the challenge around that. They can be confident, though, around the level of funding we are looking at.

We have been very clear that the funding will be at the right level. There is no reason why Northern Ireland would be seeing a substantial shortfall as you outline. As for how this is structured and how this is delivered, you are correct: those decisions have not yet been made. I am very happy to feed in the comments you just made.

Even with the European structural funds, there the reality is that, within that, there will be projects and organisations that are funded to do a particular piece of work. It is around that piece of work, that project, that point in time or that round of funding. Every time there is a new round of funding coming through, there can be changes to that. People have to bid and look at that. There is always a risk for those organisations in that sense, even through the European structural funds.

As I say, the final decisions on the UK SPF fund are not made yet. I am very happy to continue to make the point, but I am very clear that we want to ensure that Northern Ireland is getting the right amount of money to be able to deliver on the really good work that we see. I have been fortunate enough to see some phenomenal work on the ground by organisations in Northern Ireland that have benefited from those funds, which we all want to see continue.

**Q224 Stephen Farry:** Secretary of State, I would very much welcome it if you were an advocate for Northern Ireland at Cabinet about those very particular concerns around the level of funding that will come into Northern Ireland.

I just have two very brief follow-ups on the funding issue. First, Secretary of State, what are your reflections on the perhaps slow pace of movement on the Belfast city region deal? It has not had any projects formally signed off yet after two or three years. There are growing frustrations in terms of the bureaucracy involved in getting the city deal issue moving in that respect.

Secondly, as a corollary to that, we also have the strength in places fund, which is managed through BEIS. There is a concern, particularly in terms of UK research investment, that there is a disproportionate focus on what you would term the research triangle between Oxford, Cambridge and London. Areas such as Northern Ireland, which has an excellent track record in science and engineering, as you have referred to many times, risk being marginalised.



**Brandon Lewis:** I am very happy to continue to make this point. In fact, when the Prime Minister was over in Northern Ireland last time at Queen's University he made that very point around research and development. I am very alert to that.

In terms of the Belfast city region deal, I recognise that there has been some frustration. There was with the Derry and Strabane deal as well around some of the issues at the Executive level, but we have been able to get that away. I am still optimistic and focused on the full deal document for the Belfast city region deal being signed this autumn so we can see that get up and running. There is some really good work around that as well for city deals more generally. The investment is very, very substantial. It will be good. We should all focus on getting that done, dusted and signed this autumn.

Q225 **Chair:** Secretary of State, you will know that we have many quaint customs across the United Kingdom, none more quaint than the threat to bring down the Executive. It is one of those things that we seem almost to have to put into our calendars. You know as well as I do, as well as everybody on this Committee does, the enormous negative impact that a three-year interregnum on the quality of lives and the political and policy outcomes for the people of Northern Ireland had when Stormont did not sit for three years.

As Secretary of State today, what is your message to the party leaders, to their supporters and to others about the threat to bring down the Executive?

**Brandon Lewis:** My position on this has been pretty consistent for a very long time now. My point to anybody making that threat is that the public of Northern Ireland will not thank you or forgive you for that. As you rightly say, Chair, after an impasse of three years, the public of Northern Ireland want to see the Executive up and running, particularly in a time of pandemic. We are still dealing with a pandemic, and we will be dealing with that pandemic for some time yet, in terms of the recovery from it and how we move out of it as well.

The public want to see all the political parties in Northern Ireland doing what they have done for the bulk of the last year and a half superbly well, especially considering how shortly after the formation of the Executive Covid came upon us, which is working together for the best interests of Northern Ireland. With five parties, there will be times, quite regularly no doubt, when they will disagree on things. Ultimately, what we have seen during the pandemic is the ability to get decisions made for the benefit of people in Northern Ireland.

That is what people want to see. They want to see the Executive up and running. There will be very low levels of tolerance, if they believe people are going out of their way to take Stormont away as the Northern Ireland Executive and Assembly for people.



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Q226 **Chair:** Secretary of State, in bringing our proceedings to a close, it seems that every day is a named day for something at this time. You will probably know—if not, I will fill in your information gap—that today, I am told, is National Let It Go Day. I did not know it was this, but you shamelessly plugged Great Yarmouth and I am now going to shamelessly plug, in my closing remarks, a tweet from Dorset Council, which is the local government area that covers my constituency of North Dorset.

It opines on this fact of National Let It Go Day in a tweet. It says, “It's the perfect occasion to stop wasting so much energy on negative feelings from the past and instead focus on building a brighter and more positive future”. If we all took that as firm advice from Dorset Council to everybody involved in the public affairs of Northern Ireland, it would not be a bad motto, would it?

**Brandon Lewis:** No, I agree. It fits very nicely. If people go to [ourstoryinthemaking.com](http://ourstoryinthemaking.com), which is about the centenary, they will be able to see the details of the speech that George V gave 100 years ago. The content of that speech, as I said on a video the other day, is as relevant today as it was 100 years ago. It mirrors very much the sentiment behind the quote you just gave. Let us work together and move things forward in a positive way.

**Chair:** Secretary of State, on behalf of the whole of the Committee, thank you for your attendance this morning. Thank you for taking a wide range of questions. We will probably see you, if not before, on the Floor of the House with regards to legacy announcements, hopefully before Summer Recess. Otherwise, we will see you in the autumn. We know these are difficult times and challenging times for you and, indeed, for Robin, as your Minister of State. I hope you know you have the affection, support and energy of this Committee in what you are trying to do, as we all are, which is to deliver a better quality of life for all of those who live in Northern Ireland. Thank you again for your attendance this morning.