

Backbench Business

Representations: Backbench Business

Tuesday 28 March 2017

Ordered by the House of Commons to be published on 28 March 2017.

Watch the meeting

Members present: Ian Mearns (Chair); Bob Blackman; Gavin Newlands; Mr David Nuttall; and William Wragg.

Questions 1-27

Witnesses

[\[I\]](#): Norman Lamb and Ronnie Cowan

[\[II\]](#): Tom Elliott, James Cartlidge, Danny Kinahan, Jim Fitzpatrick and Jim Shannon

[\[III\]](#): Chris Green

[\[IV\]](#): Patrick Grady

[\[V\]](#): Ian Blackford and Sir Roger Gale

[\[VI\]](#): David T. C. Davies

Written evidence from witnesses:

– [Add names of witnesses and hyperlink to submissions]

Chair: Good afternoon, everyone, and welcome to the Backbench Business Committee. We have six applications in front of us. Before we begin hearing them, just a little bit of news, as it were. Our entreaties to the Leader of the House and the Government do not go completely unnoticed. Members might have noticed that this afternoon, or this evening, we have a 90-minute protected time debate on the crisis in Yemen. Our asking for protected time debates when Government business might not go the full duration have not gone unnoticed—we have managed to secure that this afternoon.



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We have also asked the Government to think about the timing of Westminster Hall debates on the days that we return immediately after bank holidays. I am very glad to report that the Government have agreed that the Westminster Hall debates that were due to begin at 9.30 am on Tuesday 18 April and Tuesday 2 May have now been put back two hours to 11.30 am on both occasions, allowing Members from further afield, such as myself, and colleagues from north of the border and across in Northern Ireland to get here in time for those debates. That is some good news from our perspective.

In any given parliamentary Session or year, we are technically allowed by Standing Orders 27 days of Chamber time. If we want to be given Thursday 20 April, which is the first Thursday back after Easter, as a full day—we have been told that we have got that full day—it will be our 27th and a quarter day allotted in this parliamentary Session. I am not saying that we will not be given any more time in this parliamentary Session. Technically, it would be possible, so we have pressure from that perspective.

Norman Lamb and Ronnie Cowan made representations.

Q1 **Chair:** As I said before, we have six applications this afternoon. We will begin with Mr Norman Lamb, Ronnie Cowan, Peter Lilley and Paul Flynn. This is an application on the reform of drugs laws.

Norman Lamb: The basis of my application is that I think this is an incredibly important public health issue. Last June, a landmark report was published by the Royal Society for Public Health and the Faculty of Public Health calling for decriminalisation of the personal use of drugs on public health grounds. That marked quite a significant shift of attitude among the bodies involved in the public health realm. It was followed in November by the *British Medical Journal* calling for alternatives to the criminalisation of drug use. It concluded that the war on drugs had failed to curb supply and demand or tackle addiction, drug-related violence and the profits of organised criminals. The Adam Smith Institute added to the number of organisations making statements on this issue with a call for the legalisation and regulation of cannabis.

Along with all that, you will be aware of calls in this Chamber from time to time for the legalisation of cannabis for medical use. A lot of organisations involved in patient groups for conditions such as muscular sclerosis argued that case quite persuasively, but wherever people are on this debate, it is an issue that deserves debate in the Chamber. Our request is for a three-hour debate in the main Chamber. We have quite a good range of MPs across the parties supporting the application, so that is our request and I am happy to answer any questions.



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Ronnie Cowan: We have good cross-party support. The debate on drugs is a multi-layered, multi-faceted thing. It will go on for a number of years. There are a lot of avenues that we can go into, but we have to start the debate sooner rather than later. It has been promoted by the *BMJ* and other organisations that have looked at the issue in a completely non-partisan way. They are coming back with the same message: what we are currently doing with what is termed the war on drugs is simply not working. As legislators, we have to look at the matter seriously and say, "As a health issue, what can we do about it?"

Q2 **William Wragg:** Gentlemen, thank you. Notwithstanding the merits of the application, in the interests of having a thorough debate in the Chamber, do any of the Members who have indicated they want to take part not advocate reform of the drugs laws?

Norman Lamb: We have tried to encourage people from whatever side of the debate to join in the application because of the case for having this discussion in our nation's Parliament. I think it is fair to say that most of the people, if not all of the people—I cannot be certain and I would not want to speak for them—argue the case for reform. That is the impression I have, but they will differ among themselves about the extent of the reform they call for.

Ronnie Cowan: I am quite sure, having had the discussion with a number of people already, that there will be a number of people who want to step up and debate against us as well.

Q3 **Gavin Newlands:** Just a quick question: it will clearly be a worthwhile debate for the Chamber, but given the fact that we will have had 27 and a quarter days, and you are asking for a general debate in the Chamber, did you give any thought to perhaps having a motion, for example, to consider legalising cannabis for medicinal use? That would make the application for a Chamber debate much stronger and perhaps draw out more people to speak for the status quo. That would make it a much stronger application for the Chamber, because a general debate can be placed in Westminster Hall.

Norman Lamb: I'm not sure how your procedures go, but if that would be helpful, we would be very happy to offer you the wording of a simple motion.

Q4 **Chair:** In general terms, when the Committee is faced with a number of applications looking for a diminishing amount of time, we would tend to favour votable motion debates.

Norman Lamb: Of course. I understand that.

Q5 **Bob Blackman:** Very briefly; I understand the issues you are raising.



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What action do you expect the Government to take as a result of this debate, if any?

Norman Lamb: There are a lot of calls for the Government to do this. In quite a lot of jurisdictions around the world, the first step taken has been to legalise the medicinal use of cannabis, and that is a step that the Government could take on public health grounds. It has happened in many states in the United States and in Canada, as you will be aware. That is a clear action that the Government could choose to take if they wanted to. They could also, short of that, follow the advice of the Faculty of Public Health in decriminalising or in making moves in that direction. There have, as we know, already been moves in that direction. A lot of police forces around the country seek not to criminalise individuals for personal use, but it is quite a patchy position around the country. There are lots of steps that the Government could choose to take, if they were minded to do so.

Q6 **Bob Blackman:** If I can cut across that—the tactics are yours, not mine; it is your application—would it not be better to have a debate in Westminster Hall, put the issues to the Government, get a Government response, see what the mood of the Government is and then come back with an application to have a debate in the Chamber with a divisible motion that might be along the lines of the action that you want the Government to take? Then maybe you can get a vote in the House that either goes for or against your position. Then the Government may be persuaded along the route that you choose.

Norman Lamb: The application is for a debate in the main Chamber. I have said that I am happy to provide a motion if that is your wish, but if your preference is to do it in the way that you advise, we would accept that.

Q7 **Bob Blackman:** All I'm saying is that Chamber time is precious. Divisible motions have to be in the Chamber, by definition, but to advance your case, given that Westminster Hall slots are more likely to be available, you might get an earlier slot. That would then give you the chance to come back and say, "Well, we've had this debate, but it wasn't satisfactory, so we want to move to a vote on the issue," which would allow people to contribute all sorts of ideas to focus, possibly, on the main item that you want to bring forward. But it is your application; we just facilitate debate.

Norman Lamb: Yes.

Q8 **Chair:** My only other question is whether from your perspective there is any crashing time sensitivity about this. Are the Government about to do a report or—



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Norman Lamb: No, there isn't. I think it is important for our national Parliament to debate this issue, but there is not a total time sensitivity about it.

Chair: Thank you very much.

Tom Elliott, James Cartlidge, Danny Kinahan, Jim Fitzpatrick and Jim Shannon made representations.

Q9 **Chair:** This is an application for a debate on compensation for victims of Libyan-sponsored IRA terrorism. Tom, will you lead off?

Tom Elliott: Thank you very much for the opportunity to present our application. As you will see, this is very much a cross-party grouping.

To give some background, between 1969 and 1997, as most of you will be aware, the Provisional IRA engaged in a campaign of murder in the form of shootings, bombings and other acts of violence throughout the United Kingdom and particularly in Northern Ireland. These were against not only military and police but civilian targets. Throughout the 1970s and 1980s, the Provisional IRA obtained material support from the Gaddafi regime in Libya in the form of the provision of ammunition, arms, finances and explosives, including but not limited to the deadly explosive agent Semtex.

It is indisputable that the Government of Libya under Colonel Gaddafi promoted terrorist acts in the UK between 1972 and 1997. The Governments of the United States, France and Germany secured compensation for their affected citizens as an essential prerequisite to reconciliation and diplomatic relations with Libya. The UK Government, to this day, has not secured compensation for its own citizens. The reason for Her Majesty's Government's refusal to pursue compensation for its citizens remains unclear.

The UK Government has control of £9.5 billion of frozen Libyan assets. Those assets should be used immediately to compensate UK victims. The Foreign Office has said on the record that the Government is not pursuing the frozen Libyan assets. The UK victims killed and injured in terrorist attacks sponsored by Libya deserve no less than parity with other innocent victims of Gaddafi's regime. It is a matter of great unfairness that UK victims should not be compensated when other European citizens and citizens of the US have been.

Colleagues in Parliament have worked tirelessly on this issue and have established a support group for victims of Libyan-sponsored IRA terrorism, which contains peers and MPs from right across the political spectrum, as well as lawyers and public affairs representatives. Members of the support group have met with Foreign and Commonwealth Office and Treasury



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officials on numerous occasions. They have tabled countless questions, written letters to Departments and held two Westminster Hall debates—one in February 2016 and one in September 2016. They were advised to go down that route on both occasions before applying for a Backbench Business debate.

The Northern Ireland Affairs Committee's inquiry into the issue revealed some astonishing evidence, which included former Foreign Secretary Jack Straw stating that compensation for IRA victims was not on the agenda when the UK had talks with the Libyan Government.

Most significantly, Lord Empey has progressed a Bill through the House of Lords that seeks to use the £9.5 billion of frozen Libyan assets in the United Kingdom to compensate the victims of Libyan-sponsored IRA terrorism. The fact that the Bill was able to pass through the Lords demonstrates the genuine cross-party support for this cause. The Bill has since been taken up by James Cartlidge MP, though unfortunately the Government have continuously attempted to halt the progress.

We want the chance to debate the matter in the House of Commons and bring this crucial issue to the attention of MPs, Ministers and the wider public. Debate in the House of Commons will go some way to ensuring that the UK victims of Gaddafi-sponsored terrorism are not forgotten, as they have been up to now. Unfortunately, many of those are passing away as we speak.

In terms of consequences of the debate, it would ideally put pressure upon the UK Government to seriously consider pursuing those frozen assets as a means of compensation. That could include a range of proposed measures that would allow UK victims to access compensation directly or indirectly from Gaddafi's frozen assets. Above all, we want to achieve justice and fairness for the victims of terrorism throughout the United Kingdom who have suffered at the hands of the IRA, which was aided and abetted by Gaddafi's regime.

Q10 **Chair:** Would anyone like to add anything?

James Cartlidge: I came in front of you in July last year to request a debate and was advised to have a Westminster Hall debate, depending on the Government answer. A really important development since is that, obviously, there is an uncertain regime in Libya—it is a very unstable situation—but it is also difficult to get much out of the Government in terms of who they are talking to. They have said they are having an ongoing dialogue. That is what we need to be able to probe—what they are doing in terms of keeping this issue alive. There have been developments since then. You advised us that we could come back to you if we felt it still needed to be progressed.



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Jim Shannon: I want to back up what my two colleagues have said. Persistence and perseverance are why we are here. We are back because, with all the pushing that has been done through the debates and questions in the Parliament here that comprises both MPs and peers, we do not seem to be getting our foot in the door to get this thing going in the right direction.

The frustration for us is that the USA has already made an agreement. We cannot ignore the fact that another democratic country has already made that decision to help and support. It is not just victims in Northern Ireland; it is clearly victims on the UK mainland as well. Across the whole of the United Kingdom—that great United Kingdom of Great Britain and Northern Ireland—we have a need for justice, action and compensation to be in place. None of us can figure out why Government are saying no; we just can't understand it. Let's have a debate and put them on the rack, so to speak. Let them bring the answers. They are the people who can answer us. Our people want to know why not.

Jim Fitzpatrick: Briefly, I want to reinforce points. As Jim said, I have victims of the Canary Wharf bomb in '96 in my constituency. I am here supporting this because they have been waiting 21 years now for compensation and a positive response from Government. Like James, I had a debate in Westminster Hall, last February, as referred to by Tom. I have done that twice in the past year.

To reinforce Tom's point, the Chamber would be the right place from our collective points of view, because we have done Westminster Hall twice and the Government have been frustrating us—Governments of both persuasions—and not been able to help people out. Therefore, we believe this needs raising to a higher status. You have the power to afford us that.

Danny Kinahan: Thank you very much, Chair. I wish to support my colleagues. In the Northern Ireland Affairs Committee, we took evidence from victims here in the United Kingdom and discovered that they had had virtually no help at all, either in health or mental health, for the future. When we met the Foreign Office, they did not seem to have any legal precedent to judge the fact that they were not taking any action. That became very clear. It also became clear that the £9.5 billion we are talking about here in the United Kingdom is just a tiny amount of all the assets frozen worldwide. The United States has already looked at using what they have to look after their own victims. We are really just asking for the same thing here. We want everyone to have a chance to have a say, so that we can look after the victims.

Q11 **Bob Blackman:** I am very sympathetic to the cause. What I don't understand is why you don't have a motion on the application that says,



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"This House calls on the Government to approve the noble Lord's private Member's Bill and use the frozen assets from Libya to compensate the victims of proven IRA terrorism, which has been sponsored by Libya," or something along those lines. In that case, you not only put pressure on, but potentially will get a motion passed by the House—being the will of the House—calling on the Government to do something. Otherwise, all you are going to have is a debate that sounds very nice but actually doesn't get a decision of the House.

Tom Elliott: Okay, I take your point. I suppose we felt that putting in a broader motion like this would probably get a more sympathetic approach from yourselves. That is what we thought, but we are more than happy to have a more definitive motion.

Q12 **Bob Blackman:** As you probably heard from the last application, our approach would be: have you tried a Westminster Hall debate and getting the view of the Government and then maybe getting the action you require? If you don't get the action you require—and you have had the chance through various different avenues, which have been blocked—get a decision of the House to encourage the Government to do what you want them to do.

Jim Fitzpatrick: Is there flexibility for us to amend the motion in front of you, because of Bob's suggestion?

Bob Blackman: Yes.

Chair: You will find that the Backbench Business Committee is malleable.

Tom Elliott: I am really pleased to hear that.

Bob Blackman: We're here to help.

Tom Elliott: We are more than happy to do that, even before you finish today.

Chair: Thank you very much. Basically, what we have to do this afternoon is to give the subject matter of your debate a green light to go forward and to be added to our list. Should you wish to bring back in the next couple of days a redrafted, votable motion, we will just add that to the application, but it would not change our consideration, unless it was calling for something really outlandish. That is the way it would be dealt with. Can I thank you for that?

I have a question to ask Mr Kinahan. Mr Kinahan, we have on the stocks an application from yourself for a debate, which dates back to 24 January. That application and the subject matter was then a matter for a DUP Opposition day debate on 23 February, on the subject of prosecution of UK



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security forces.

Danny Kinahan: That's right.

Q13 **Chair:** I am not asking you to withdraw that application; I am asking whether you wish to pursue it at the moment, or ask us to hold it in abeyance. There is nothing to preclude you from bringing it back in the future if you don't feel as though things are moving on. At the moment, it is still something that we are looking for time for.

Danny Kinahan: I'm very happy to just hold it at the moment. We are in the middle of negotiations, arguably, in Northern Ireland. I think it is better to wait for the right moment, and then I will come back to you. That would be more suitable than trying to change things.

Q14 **Chair:** Okay, but it's not for us to judge when you feel the most appropriate time would be for us to flick the switch and be actively looking for time again, so if you could let us know as soon as you want us to be doing that.

Danny Kinahan: I'll certainly do that.

Chair: Thank you very much indeed.

Chris Green made representations.

Q15 **Chair:** Next up, we have Chris Green. The subject matter of the application is voter ID and electoral fraud.

Chris Green: I am requesting a debate on voter ID and electoral fraud. It is an incredibly important subject. It is important for the country as a whole to have an electoral system that is recognised as being fair and honest, which people across the country trust—that when you go to a polling station you believe that your vote will count the same as everyone else's and that it will be equal and have parity. It is also important for our reputation as a nation around the world. We are very highly regarded in terms of our democracy and the way we go about voting. The respect in which it is held around the world is also very important to our position. I think it is now time to have a debate on voter ID and electoral fraud.

Looking at the history in Britain, we used to have public votes, where people in public would raise their hands to indicate how they voted, but that was susceptible to undue, unfair pressure. Landlords or owners of a factory or business would observe how their employees or tenants were voting, so we obviously now have a secret vote.

In Northern Ireland, there have been concerns in the past about voting and personation in polling stations, so now in Northern Ireland we have voter ID. When you go and vote in Northern Ireland, you initially have to



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show ID. Now, you have to show photo ID at the polling station. At the moment, we have situation in which people in Northern Ireland are treated one way and the rest of the United Kingdom are treated in a different way. That is a double standard within our country.

I and many colleagues have had constituents raising concerns about how easy it is to obtain a postal ballot. There are concerns about intimidation in and around polling stations, and also about personation within polling stations. I suppose the pinnacle example of that is the Tower Hamlets example, in which an elected mayor in London—not the London Mayor but an elected mayor in London—was thrown out of office because of goings on around voting at polling stations and more widely. I do not think this situation can continue.

The Government are bringing in a trial, due for 2018, across 18 different boroughs around the country to trial ID at polling stations. Before any trials go ahead, I think this is the right time for a debate and to get all of the issues out in the open in Westminster Hall. It is incredibly topical at the moment; I did a 10-minute rule debate last year and the Government brought in proposals over Christmas. In terms of the number of constituencies, at least 30 or 40 constituencies would be directly affected by this.

Chair: Okay. Thank you very much indeed. Does anyone have any questions?

Q16 **Bob Blackman:** One point I would make about your application, Chris, is that, although there are obviously some Irish colleagues, it is fairly light on Opposition speakers; it is a bit one-sided. There is obviously representation from four political parties, I think.

Chris Green: Five.

Q17 **Bob Blackman:** Five. Okay. Nevertheless, it is very heavy on Conservative speakers.

Chris Green: There are five political parties from the four nations of our United Kingdom. Also, many of the constituencies affected will be Opposition constituencies, so I think there will be more of a challenge there. The 10-minute rule Bill was opposed, so I would expect it to be opposed again in that regard. Talking to colleagues, I think there is a great deal of opposition to this. The arguments made during the 10-minute rule debate were pretty robust.

Q18 **Bob Blackman:** Sorry, just so you are clear, from our perspective we are looking to promote debates and discussions. We do not necessarily look to have one side of the debate presented. We want a debate in which both sides are represented. People who may be opposed to you can be



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listed as speakers on an application, and that will help to balance up the perspective of the debate. That is what we are after: a debate, not a one-sided discussion.

Chris Green: Yes.

Q19 **Chair:** Could I also point out as well, Chris, that I think that four of the people listed are also PPSs. Technically speaking, we normally allow PPSs from Opposition parties to be part of the list but not from the Government side, because they would not be regarded as being strictly Back Benchers.

Chris Green: Yes.

Q20 **Chair:** Okay. In terms of overall numbers, it is not problematic, given the fact that you are asking for 90 minutes in Westminster Hall.

Chris Green: Yes.

Chair: Thank you very much indeed for your application.

Patrick Grady made representations.

Q21 **Chair:** Next up, we have Patrick Grady, please. This is an application on support for survivors and witnesses of terrorist attacks overseas.

Patrick Grady: Thank you. I am grateful to my hon. Friend the Member for Airdrie and Shotts (Neil Gray), who has come to show his moral support behind me. I have been working on this bid for a while. It is just an unhappy and unfortunate coincidence that we submitted it on Friday, after the events that we all witnessed here, but I think it makes the debate more relevant, because it gives all of us at least some sense of what is involved in being caught up in a terrorist incident.

The focus for this is particularly on UK citizens caught up in incidents overseas, and particularly on witnesses, not necessarily those bereaved or physically injured. The roots are in a constituent who approached me in February 2016, having witnessed the attacks in Sousse in June 2015. That was the first time I became aware that any of my constituents had been affected. She felt a lack of support, information and communication throughout the whole process since she had returned to the United Kingdom. I understand that there is a more or less formal network of other people in a similar situation. Through that network, we have encouraged some other Members to add their names to this bid.

We have pursued the issue in letters to the Minister and questions to Ministers. I had a meeting with the Minister in question, the Under-Secretary of State for Foreign and Commonwealth Affairs, the right hon. Member for Bournemouth East (Mr Ellwood), who indicated to me that he



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would be content to respond to a debate, should a bid for one be successful. After continuing to work with my constituent, with others in the network and with some of the support organisations out there, we decided to put together a bid for the Backbench Business Committee. As the formal inquest had drawn to a conclusion, we felt that the time was about right.

You will see that we have a substantive motion for debate. We are looking for time in the Chamber, which I appreciate is at a premium. I think a Chamber debate would be highly symbolic and would show the seriousness with which the House of Commons and, hopefully, the Government treat the issue. I appreciate that time is at a premium; we would not be ungrateful for time elsewhere, in Westminster Hall.

I think that covers the broad background. Among the Members who have responded, there is a range of experience that they might bring from their own constituents and representatives that they might make on their behalf. I think there will be some degree of consensus on issues and some areas of challenge, particularly around the appropriate kind of support for witnesses and issues of cross-border support, which is something that has come up. One of the key organisations that provides support, the Peace Centre in Warrington, which was set up after an IRA attack, is funded by the Ministry of Justice, but it has therefore found it difficult to deliver services north of the border; there are some issues there that I think we could tease out.

There are also broader issues around preparation and planning. Sadly, as we saw last week, my constituent and those like her will not be the last witnesses of terrorist attacks, either at home or overseas.

Q22 **Chair:** Thank you very much. Any questions?

Just to make an observation, I think you are entirely right that the fingers of this go far and wide. I do not have a constituent who was killed at Sousse, but there was one in a neighbouring constituency in Gateshead, the seat of my hon. Friend the Member for Blaydon (Mr Anderson). There was a lady killed from the Whickham area there. I remember very well a bloke I worked with, David Middleton, who went to work for an oil company and was killed on his way home when an Air France airliner was blown up over Chad many years ago. It comes home to roost when things of that nature occur. Thank you. That is entirely in order.

Ian Blackford and Sir Roger Gale made representations.

Q23 **Chair:** This is an application on the subject of frozen pensions.

Sir Roger Gale: This is an application put forward by the all-party group on frozen British pensions, which has very wide cross-party support. The



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opposition comes mainly from the Government. To answer Bob Blackman's earlier point, the likelihood is that, whichever side of the Chamber people are speaking from, they are more likely to speak in favour of the motion that we wish to put forward, but we may or may not get support from the Front Bench.

The situation I think is probably well known to Members. There is a significant group of ex-pat United Kingdom citizens resident mainly but not exclusively in old Commonwealth countries—so Canada, Australia, New Zealand, parts of the Caribbean, but other countries as well—who have worked during their lives in the United Kingdom, paid national insurance contributions and taxes, and have moved overseas on retirement to live with family, through choice or for whatever reason, and whose pensions when they have left have been frozen at the point of departure. There are other countries—the United States is a prime example—where because there is a reciprocal arrangement, for no particular but historical reasons, pensions are uprated in line with inflation, as are all pensions here and indeed throughout the European Union.

This is an iniquitous situation; it is morally unjust; and it is not defensible. We believe very strongly as a group that this has to be addressed. It has been ignored by successive Governments. There is no party political advantage in this. It is a failure on everyone's part, and I can speak very personally because I have been in the House for 33 years and it still has not been dealt with, which is as much my fault as anyone else's. We want to see it put right and we think there is an opportunity.

There was a debate not so very long ago, which was not divided upon in the hope and expectation that perhaps there would be some movement. The hope was forlorn and the expectation was not fulfilled. We want to bring this back to the Floor of the House and on a substantive motion to vote on it. The reason is that we see an opportunity with Brexit and the negotiations that are going to have to take place over the future of United Kingdom citizens living throughout the European Union countries. Those pension issues are going to have to be addressed, either collectively or in each of the 27 countries. It seems to us that that is an opportunity to fix this wrong once and for all—to put the two together and to reach a conclusion.

The view of successive Governments is that this would be prohibitively expensive. Yes, if you backdated all those pensions, it would be prohibitively expensive for any Administration. If you uprated immediately at today's prices, that would be very expensive, but a further solution is to uprate on the present figures. We believe that that is a viable way forward, which is affordable in the great scheme of things—I am not



saying that it will not cost anything, but it will not break the bank—and the time has come to do it.

To link it to Brexit, we see this, at the start of the Brexit negotiations, as the moment to put down the marker to say, “While you’re fixing that, fix this.” That is the reason for the application now.

Ian Blackford: I concur with everything that Sir Roger has said. From a timing point of view, the two issues come together: the situation of Brexit and the fact that we are at a stage when the frozen pension regulations will come before the House. You will note that a praying motion has been tabled by Sir Roger and myself—that was only at the tail end of last week—and it has broad cross-party support, having already been signed, as of yesterday, by 40 Members. We expect that to grow over the coming days.

This issue does unite people across the House. We also have to take cognisance of the fact that we are pretty much out on our own as a country. Every other OECD member uprates pensions, so there is the slight issue of us being away from international norms. We are going to be faced with making the decision on what we are doing with British pensioners living in EU territories, and it is right, as part of that discussion, that we consider the rights of other pensioners.

My last point is on the costs, which are important. A lot of people came to work in the United Kingdom from other territories over a long number of decades. Some may wish to retire to their country of origin and feel that they cannot do so because they know that their pension would be frozen. The issue of cost is complicated, because in certain cases if people went back to wherever they originally came from, the cost of healthcare and so on would be borne not by the UK taxpayer but by their country of origin. The issue of cost is complicated, and is not quite as perhaps the Government sometimes see it—that there is a significant cost from doing this.

Chair: I can’t help thinking on this one that Governments may come and go, but the Treasury is always there.

Q24 **Bob Blackman:** Sir Roger, I’m sure everyone has received a lot of lobbying emails about this particular topic. The motion you have got before us at the moment is that, “the House has considered”. I presume that what you actually want the Government to do is to unfreeze these pensions going forward. I am just a bit surprised that the motion does not express that view.

Sir Roger Gale: If we have the opportunity to rephrase the motion, Bob, I think we will wish to do so. That was basically a catch-all. We will discuss



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it, but personally I would like to see it linked to the Brexit negotiations to say that this must be considered.

Q25 **Bob Blackman:** The application and the motion are up to you. I am just a bit surprised, given the pressure that there is, that you do not want to—

Sir Roger Gale: Your surprise is well founded. It was a catch-all submission.

Chair: Again, you will have seen and heard what went on earlier. If you wish to resubmit your votable motion, please do that within the next few days.

Gavin Newlands: As ever, Bob has stolen the words out of my mouth. I am pleased to hear the response from Sir Roger. There are no more questions, from me.

Chair: In that case, I thank you very much for the application. We will of course be considering what time we can allocate as soon as we possibly can.

David T. C. Davies made representations.

Q26 **Chair:** Lastly, but certainly not least, I call Mr David T. C. Davies please. The subject of the application is the European arrest warrant. Over to you.

David T. C. Davies: Thank you, Mr Mearns. Obviously, you are aware of the topic I have put down with a votable motion—one that would not commit the Government too much in any direction, and is merely to review the EAW. My concerns come from some personal experiences. I have served at the Council of Europe with Sir Roger Gale for a number of years, and I took part as a rapporteur in an investigation into racism in the police, which led to some visits around Europe, including one to a detention facility in Greece. What I saw there was absolutely appalling in terms of the conditions that people were being kept in. I said that in my opinion—I spent nine years as a special constable—those conditions would under no circumstances be acceptable for any length of time in the UK, yet people were being held in them for up to a year. In fairness, the authorities said that they agreed, and they wanted that story to be told.

There is an issue over the compliance of Romania and Bulgaria with standards of justice. That is being looked at by the European Union—the other body, of course. I have met with people who are concerned particularly about Romania. Obviously, there is the case of a Sky journalist, Stuart Ramsay, who may face extradition because of a story



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that he wrote that was critical of the Romanian Government, and they have already instigated some proceedings against him.

I have met Alexander Adamescu, who is facing extradition. He is a German playwright of Romanian origin whose father's newspaper criticised the Government a lot. His father was denied medical treatment and died in a Romanian prison. I raised that issue with the President of Romania when he visited the Council of Europe I think in January, and he claimed not to have met him, which was seen as most unlikely since he was the Romanian equivalent of Rupert Murdoch.

The point I am trying to make is that the European arrest warrant is based on the principle that standards of justice across the European Union are equitable, but clearly, if people are being extradited—I think 6,500 people were extradited from the UK over to other European states between 2010 and 2015—we need to be absolutely certain of that.

We have, if you like, my own eyewitness evidence plus the evidence of the European Union itself that not all of these states are complying with these regulations, and I just think that Brexit offers an opportunity to look again at this situation.

On 18 January, we had a debate about the effect of leaving the EU on security and justice. Quite a few people raised the EAW, but in passing, and I hope that the amount of interest in this might lead the Committee to feel that there may be some scope for having a longer debate specifically about the European arrest warrant and whether it can be amended to ensure that the principles we are operating on are fair to everyone.

Chair: Thank you very much. Any questions?

Bob Blackman: Can I just point out that I will probably speak on this, so I will not take any part in the decision making around this application?

Chair: Thank you very much for pointing that out.

Q27 **Gavin Newlands:** Just a couple of things. The application is for a 90-minute debate. You have said in either the Chamber or Westminster Hall—you have crossed both of them—but you have a substantive motion. There could be confusion there. Obviously, if you have a motion, that has to be in the Chamber. Is it your intention, if we come back to you with an offer for Westminster Hall, to have a general debate on the principles of the European arrest warrant?

Also, it would be a 90-minute debate, so nine names is okay, but there are seven Conservatives and two Labour Members on there, so there is a bit of an imbalance. That is not always—



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David T. C. Davies: No, I accept that. That is a fair criticism on the imbalance. I suppose what I have done is, essentially, gone round to people I know, but on 18 January there were quite a few people from across the political spectrum who all wanted to speak on it—with different opinions, too. There are a lot of people who are strongly in favour of keeping it. But I take that point.

On the issue of where it is done, I have put down a substantive motion, so it could go into the Chamber. I have actually put in for a Westminster Hall debate on this, but I have not been lucky enough to have my name pulled out yet. Clearly, I come before you wanting to raise the matter somewhere.

Chair: Thank you very much. That concludes our formal meeting of the Backbench Business Committee for this afternoon. Can I thank you all for your attendance?