

IN PARLIAMENT
SESSION 2022-23

HOLOCAUST MEMORIAL BILL

Note outlining memorialists' allegations of non-compliance with the Standing Orders of both Houses of Parliament

From

Baroness Deech of Cumnor

1. Introductory

1.1 This note has been prepared in response to the request by the Clerk of Private and Hybrid Bills in the House of Commons for a standalone document outlining views on the applicability of, and compliance with, the Standing Orders.

1.2 The note is submitted on behalf of myself and the Holocaust survivors previously named in my Memorialist submission. I was a Memorialist in person on 17th April.

1.3. In this note “the Standing Orders” means the Standing Orders (Private Business) of both Houses of Parliament. A reference to “HC SO” with a number is a reference to the Standing Order (Private Business) of the House of Commons with that number and a reference to “HL SO” with a number is a reference to the Standing Order of the House of Lords with that number.

1.4 I have prepared this note with the benefit of information from fellow Memorialists, namely the London Historic Parks & Gardens Trust, The Thorney Island Society and local residents.

2. Compliance with Standing Orders

2.1 I support my fellow Memorialists' objections concerning non-compliance with the Standing Orders, as outlined in their note submitted by their Parliamentary Agents on their behalf.

2.2. HC SO 13 [HL SO 13] (Notice to owners, etc.) requires that on or before 5th December in the case of a Bill whereby it is proposed to authorise the compulsory acquisition of land or of rights to use land, notice in writing of the proposal shall be given to the owner, lessee, and occupier of each parcel of land or house affected, in the form, as nearly as maybe, set forth in Appendix A to the Standing Orders unless, in the case of an owner or lessee, his identity cannot after reasonable inquiry be ascertained.

The current test involves a proprietary interest in land (through purchase, conveyance, lease or otherwise) and Standing Orders follow from that assumption. There are no Standing Orders that I may therefore rely on. Nevertheless your Memorialist respectfully alleges that the effect of the Bill is pertinent by way of its Clause 2, to me and other owners of the experiences of the Holocaust and/or of a shared interest in Holocaust Education and memory, that notice should have been given to them. Your Memorialist draws attention to the fact that no notice was given to any category of persons regardless of definition or location.

3. General

3.1. The most serious consequence of relying on a narrow definition of ownership and overly literal application of the Standing Orders is that those having an interest in the Bill, including other Holocaust victims and their relatives, as well as your Memorialist, have not been properly alerted to the important provisions contained in the Bill, and risk being denied an opportunity of petitioning against the Bill in Parliament.

YOUR MEMORIALIST acting on behalf of myself and those Holocaust Survivors previously named in my Memorialist submission.

Baroness Deech

House of Lords London SW1A 0PW

17 May 2023