

ANDREW MARR SHOW, 5TH DECEMBER, 2021

DOMINIC RAAB, MP

JUSTICE SECRETARY and Deputy Prime Minister

((Please check against delivery (uncorrected copies))

AM: Is Omicron more widespread in this country than we had thought?

A: Well look we know we've had, I think just a little over a 150 cases, so those are the facts. The impact we're still gauging as your guests today have shown. I think the real truth of the matter is that one thing people seem pretty confident about is in increasing the take up of boosters and vaccines, we're now at 80% double jabbed, a third of the country have had the third jab or a booster is the surest defences. We can go into this Christmas totally in a different position from the last Christmas.

AM: You're relaxed about Christmas, is it going to be a good one?

A: I think it's going to be a great Christmas. Look all the family, friends, loved ones are being able to get together in a way we haven't been able to do for a couple of years I think is really important. Of course we'll continue to be vigilant about variants, but the reality is, and you can look at the data this week or last week, hospitalisations down, deaths down. We stay vigilant but I think we're in a much more confident position because of the vaccine, because of the boosters.

AM: So knowing what you know about Omicron you would be perfectly relaxed and happy about going to see an elderly relative this Christmas?

S: Yes, I mean of course it always depends a little bit on their personal condition, if they're safeguarding it may be different. But I think people should enjoy Christmas, get their loved ones around them, celebrate it in a way we haven't been able to do in the past.

AM: And that's despite the fact that we heard earlier on in the programme that Omicron is spreading and speeding at an astonishing rate in South Africa. It goes very, very fast indeed, and that people who've had Coronavirus already can be reinfected and that we know some people who have had vaccines are being infected. Those three things seem to be quite worrying.

A: All of those caveats and qualifications apply. That's why we need to stay eternally vigilant, that's why we've taken some measures in relation to transport. That's why some of those countries, even if it's residual defence against receding in this country have been put on the transport black list.

AM: Closing the door after the horse has bolted, said Mark Woolhouse.

A: Well, you always get the Goldilocks criticism of we've done too much, we've done too little. The reality is I think if you look at the hospitalisation rate, the mortality rate, all down this week on last week, the latest statistics. If you look at the success of the vaccine scheme 80% plus of not just adults but those over 12 double jabbed. The boosters and the third jabs out to a third of the country, actually we have steadily and patiently but steadfastly created the resilience in the defences which mean we can enjoy Christmas.

AM: You're putting everything into vaccines as the line of defence really. If they don't work what next? Are you contingency planning for a serious new wave?

A: Well look, we're always watching the variants. I'm not sure it's quite right to say that everything has gone into vaccines, but the big focus, the big priority has been that, but we've also talked about therapeutics. The drugs that mean that even if transmission spreads it is no more harmful than say ordinary flu because you take the fatality out of it. That's been important, and of course we're testing. We're in just a totally different place with the lateral flow tests, but also we've taken extra measures in relation to travel, I know that's going to upset or disrupt some people, but

I think it's all part of the jigsaw that goes to a strategy that has put us in a much more confident place so we can enjoy Christmas. And also for the economy jobs up, growth up, wages up, we're doing the right things I think in the right way.

AM: Was your colleague Grant Shapps, right when he said just two days ago that doing this would kill off the travel sector?

A: Well look, Grant is very (cut in film) that the worst thing would be to then lurch for not having taken incremental steps that can make a difference even if it's only at the margins in the way your guests describe. I think we want to make sure we take those steps earlier, precisely to avoid the bigger disruption to travel and the economy.

AM: Is it right that the government are going to look again at all of this, look at the possible restrictions on the 18th of December?

A: Look, if we keep the restrictions constantly under review, but we're at plan A.

AM: That's a week before Christmas.

A: Yes, but if we weren't constantly looking and gauging people will be asking the question. So that's the normal course of events, but we are in plan A. We haven't even had to revert to some of the measures that were described in plan B and I think again that's testament to the success of the vaccine roll out and the plans that we've put in place but also just delivered over the last year.

AM: Now I said at the beginning of the programme there has been contradictory advice over all of this, the future. We have the Deputy Prime Minister here so you can give us definitive answers I am sure. So the head of the Health Security Agency Dr Jenny Harries says 'don't socialise if you don't need to.' The Prime Minister says, 'go to parties.' Who's right?

A: No people should go to the parties, the events.

AM: Which is wrong?

A: I don't have the full context for what she said and of course the scientific advisers, the public health advisers will caveat very carefully what they say, but our message is this. Enjoy Christmas this year. The vaccine roll out means we're in a position to do so and also although I know you like to have the definitive answers to everything from the DPM –

AM: I do.

A: - but we're also saying that employers that can be trusted to take

AM: Ah!

A: - no let me finish that, can be trusted to take common sense approach to the facts of the circumstances in their businesses and in their sectors.

AM: So on employers the business secretary said, 'small parties fine, big parties, don't.' Do you agree with that?

A: I believing in trusting employers to get their common sense balanced and not second guessing them with every different decision in regard to this and our overwhelming advice is to enjoy Christmas, go to those events, people need to see that social interaction whether it's at work or amongst family and friends.

AM; Well let's get to a more intimate question. The Work and Pensions Secretary says, 'don't kiss people under the Mistletoe.' The Health Secretary says, 'kiss who you like.'

A: I'm not going to start telling people who and who they can't kiss. The parties are fine, enjoy being amongst loved ones this Christmas. It is not the job of the government to micromanage all of these different common sense judgements. We set the framework, we give advice but we also trust people to enjoy things and do things in a responsible way. And we understand that whatever the rules say there is still a little bit of nervousness out there, we understand that.

AM: All right, let's move from this Christmas to last Christmas and last Christmas parties. Very straight forward question. Last Christmas were Christmas parties allowed in London?

A: So look – so generally no.

AM: No, generally no. And yet we know there was a Christmas party at No 10. So how did that not break the rules?

A: Look, I'm not going to say anything beyond what the PM has said in this relation to this. We've got – let's just be clear what we're talking about here. Something that took place a year ago. Unsubstantiated.

AM: And people were dying.

A: Unsubstantiated, enormous claims being made. The PM has been crystal clear in relation to any circumstances or events in Downing Street that the rules were complied with and the police are being very clear, they'll look at any letter, but they don't normally look back and investigate things that have taken place a year ago. I don't think – in the absence of some form of ..

AM: Well let's leave retrospective to one side and that's a strange thing for the police to say, but let's leave that to one side. Let's remind ourselves what the legal position was a year ago.

“You must not have a work Christmas lunch or party where that is primarily social activity and is not otherwise permitted by the rules in your tier.” London was in tier 3 so it definitely was not permitted. Now the BBC has spoken to serious sources there who say there was drink and food and party games, it was a party and I come back to this really problem dilemma we all have. Number 10 says no rules were broken. If there was a party then rules were broken. If there wasn't a party then rules weren't broken. Was there a party?

A: Yes, but we've just give me, you referred to reports there anonymous, they're unsubstantiated, no with respect, Andrew. You pointed to a rather caveated set of guidance which we all look at work out how to balance and the PM's been very clear, no rules were broken.

A: I wasn't there by the way so I can't give you -

AM: All the reports, cos multiple people have reports. The Financial Times not a tabloid newspaper, the Mirror, a tabloid newspaper, the BBC, Laura Kuenssberg, a very very experienced and plugged in reporter, all reports the same things but you are telling us definitely this morning that that party never happened?

A: It's all the reports -

AM: But I'm asking you did it happen or not, you must know?

A: Well I don't know 'cause I wasn't there so I can't give you first hand -

AM: But you're Deputy Prime Minister, you must ask people.

A: Well I do and what I know is that you've got, from all the sources you refer to, unsubstantiated claims being made and all on the basis of anonymous sources. It will be impossible actually to answer the charge on that basis other than to say, we're clear that the rules were followed.

AM: But you are surrounded by people in Number 10 the whole time. You must have asked people at some point, if only out of natural human curiosity did this party happen?

A: Actually we've been getting on with the job of Criminal Justice -

AM: Never occurred to you to ask about it?

A: I watch all of the flurry of accusations, counter claims that are made, but the truth is until there's something substantiated, until it's more than the anonymous sources that of events you've described I don't think we're chasing shadows. What I'm focused on is the Criminal Justice work that we're doing on victims, on drugs, on prisons, on the terrible cases that we've seen with baby Arthur and baby - and Tony Hudgel which I was addressing this week, so forgive me I've got lots on my plate, I'm not chasing the unsubstantiated anonymous reports that you've referred to.

AM: All right. You are a professional lawyer. Can we at least agree that if the party took place it was breaking the rules?

A: Well if there's a breach of the rules, there's a breach of the rules, that's circular Andrew, but I don't know the full facts cos I wasn't there.

AM: So the answer to my question is yes. If there was a party it was breaking the rules?

A: Well as you said, the definition on the guidance that you've just shown needs to be applied. It was quite heavily caveated actually. But look of course, if there was a formal party held of course that's something that was clearly contrary to the guidance you just cited.

AM: The rest of us were told we could not party, we could not socialise up and down the country people were dying at the time that party took place. If there was a party can you at least condemn it? That that was the wrong thing to do.

A: Anyone who held a party contrary to the rules of course that's the wrong thing to do, but Andrew, as a lawyer and as a politician it's not a responsible thing to start answering hypothetical questions about anonymous sources in relation to unsubstantiated claims. You know that.

AM: But we can agree it was wrong? It happened it was wrong.

A: If something unsubstantiated from anonymous sources actually materialised then of course it would be wrong.

AM: Let's move on to schools. There are 208,000 children out of school at the moment in England alone. Why has that happened and what can you do to get those numbers down?

A: In relation – you're talking in relation to Covid?

AM: Yeah.

A: Yeah look, of course the schools have done an amazing job. We've got more testing being done. I think schools want to be

very careful in relation to the spread of the virus, but actually the vast majority, the overwhelming majority of children are in school. That's the right place for them to be and with the extension of vaccines to the over 12s, 80% now covered with two jabs, the third with the boosters and the third jab, actually we're in a much better position. But of course the winter months have always been the point of higher risk, the scientists have always warned that.

AM: Those children are never going to get their education back. The Children's Commissioner has said schools should never be shut in this way again. Do you agree with that?

A: Look, saying an iron-clad never in relation to the future I think is always difficult. And I share - my instincts are all in the same place as that, and as someone with young children I think we want our kids back at school. We need to make that a top priority.

AM: Let's talk about the crime agenda. Should wolf whistling and cat calling at women become a criminal offence?

A: Well, we've got very strong laws already in place to make sure any intimidation or harassment of women anywhere in our society are dealt with and addressed. I think actually the big focus that we we've had - we're looking at this week, is how we deal with the very serious cases. So, for example, I'm going to be hosting a tech summit on rape prosecutions tomorrow. One of the things we're looking at is how we're going to use tech better, both when it comes to taking evidence from mobile phones. If a victim comes forward - we want victims to have the confidence to come forward - that means that they shouldn't be left without their phone for too long if that deters them from coming forward. Right the way through to the ability to give evidence in a pre-recorded way, not in the glare of the courtroom. And we know that that will bring down what's called victim attrition, which means victims falling out of the process, and secure more prosecutions and more guilty pleas. So we're absolutely focused on driving up prosecutions and accountability for victims.

AM: That is a very serious issue. But I come back to my original question, wolf whistling and the sexist abuse of women on the streets, are you going to make that a new criminal offence?

A: It is already a criminal offence, and I think we've got to be very careful that we make sure we enforce the laws that we've got rather than thinking that -

AM: Wolf whistling's already a criminal offence?

A: If anything is done on the street that result in harassment of a woman, intimidation - of course these depend on the circumstance - it's already a public order offence. But what we've got to do is make sure - and if you look at the serious violence against -

AM: So there's not going to be a new offence and not one that will change in law?

A: I always look at any case for securing greater protection for women, but our focus has been on - let me tell you what we are doing. Criminal justice scorecards, both for generic crime but also for rapes, we can see where we're getting it right at the police, CPS, at the court stage. We're going to localise them in the new year so people can see from their region, there area, how we're doing. We're going to bring in a consultation this week. I'll be announcing a consultation of victims also. Victims are at the heart of the process. And then there are those more operational technical things, like the so-called Section 29 pre-recorded victim evidence for those victims of rape. These are the ways, the sort of, if you like, the levers, the policy measures that strategically, as a jigsaw, if you like, we put together and ramp up those prosecutions, give justice to victims, particularly of rape.

AM: Now, when it comes to drugs strategy there seems to be an implication that you're going to move away from criminalising drug uses and using the health system to deal with them instead. Is that broadly speaking true?

A: Yeah, that's quite right. But we're going to have a new drugs strategy announced very shortly. It will look at everything from

cracking down on frankly, the business model that drug dealers use, with their so-called county lines, where we've got urban gangs that then reach out into the suburbs and into rural parts of the country. We want to be very clear on the sentences and penalties. We don't think that so-called middle class taking of cocaine is somehow okay. So, no, in that sense we're going to be tough. But we're also looking at how we help addicts, drug addicts, get free of their dependency. So just to give you one sense of what we'll be announcing in the Prisons White Paper, HMP Altcourse in Liverpool has a drug recovery wing, so rather than just being stuck on methadone, which basically prevents harm, you've got a proper plan to get off drugs. I think we should be looking at expanding that right across the prison state.

AM: Alright, very quickly, after Labinjo-Hughes, there are many people out there who think that the two people responsible for his torture and murder got lenient sentences, too lenient sentences. Are you one of them?

A: Yes, and really my heart goes out for that little boy. Any child that's been the victim of abuse. We had Tony Hudgell's parents come to see me. On relation to Tony's Law, we've announced that we're going to raise the sentences for child cruelty. In relation to Baby Arthur the Attorney's already said that she's minded to submit the application for a review of the sentence.

AM: Dominic Raab, thanks very much indeed for coming in and talking to us.

(ends)