



**BRITISH-IRISH
PARLIAMENTARY ASSEMBLY**

**TIONÓL PARLAIMINTEACH
NA BREATAINE AGUS NA hÉIREANN**

THIRTY-EIGHTH PLENARY CONFERENCE

29 and 31 March 2009

Solís Lough Eske Castle, Donegal, Ireland

OFFICIAL REPORT

(Final Revised Edition)

(Produced by the British-Irish Parliamentary Reporting Association)

Any queries should be sent to:

The Editor

The British-Irish Parliamentary Reporting

Association

Room 248

Parliament Buildings

Stormont

Belfast BT4 3XX

Tel: 028 90521135

e-mail

simon.burrowes@niassembly.gov.uk

IN ATTENDANCE

Co-Chairmen

Mr Niall Blaney TD

Rt Hon Peter Hain MP

Members and Associate Members

Mr Brian Adam MSP

Mr Alex Attwood MLA

Mr John Austin MP

The Lord Bew

The Baroness Blood MBE

Senator Dan Boyle

Mr Johnny Brady TD

Deputy Alan Breckon

Mrs Rosemary Butler AM

Mr Alun Cairns AM

Senator John Carty

Senator Donnie Cassidy

Mr Willie Clarke MLA

Mrs Margaret Conlon TD

The Lord Cope of Berkeley

Mr Seymour Crawford TD

Mr Jim Devine MP

Mr Jim Dobbin MP

Rt Hon The Lord Dubs

Mr Mark Durkan MP

Senator John Ellis

Mr Jeff Ennis MP

Mr Paul Flynn MP

Mr Mike German OBE AM

The Lord Glentoran CBE DL

Deputy Graham Guille

Mr Brian Hayes TD

The Baroness Harris of Richmond

Mr Hugh Henry MSP

Mr Séamus Kirk TD

Senator Terry Leyden

Dr Dai Lloyd AM

Mr Elfyn Llwyd MP

Mr Andrew Mackinlay MP

Mr David McClarty MLA

Mr Dinny McGinley TD

Mr Joe McHugh TD

Mrs Rosemary McKenna CBE MP

Rt Hon Michael Mates MP

The Lord Maginnis of Drumglass

Mr Alasdair Morgan MSP

Mr Arthur Morgan TD

Senator Francie O'Brien

The Baroness Ó Catháin OBE

Mr Fergus O'Dowd TD

Mr Jim O'Keefe TD

Dr Rory O'Hanlon TD

Hon Stephen Charles Rodan MHK

Mr Chris Ruane MP

Mr Iain Smith MSP

The Lord Gordon of Strathblane

Mr Noel Treacy TD

Mr Robert Walter MP

Mrs Joyce Watson AM

Mr Jim Wells MLA

ALSO IN ATTENDANCE (FOR ALL OR PART OF PROCEEDINGS)

Ms Mary Coughlan TD, Tánaiste and Minister for Enterprise, Trade and Employment

Rt Hon Paul Murphy MP, Secretary of State for Wales and Minister for the British-Irish Council

Mr Denis Bradley, Co-Chairman of the Consultative Group on the Past

The Lord Eames, Co-Chairman of the Consultative Group on the Past

The Lord Browne of Belmont MLA

Mr Danny Kennedy MLA

STEERING COMMITTEE

Co-Chairmen

Mr Niall Blaney TD

Rt Hon Peter Hain MP

Vice-Chairmen

Mrs Margaret Conlon TD

Mr Seymour Crawford TD

Rt Hon The Lord Dubs

Rt Hon Michael Mates MP

Members

Deputy Graham Guille

Mrs Rosemary Butler AM

Mr Alasdair Morgan MSP

Mr Jim O'Keeffe TD

Mr Robert Walter MP

OFFICIALS

Joint Clerks of the Assembly

Mr Eoin Faherty,
Irish Clerk
Ms Alda Barry,
British Clerk

Clerks of the Devolved Institutions

Scotland

Mr Sean Wixted

Wales

Mr Robert Lloyd-
Williams

Committee Clerks to the Assembly

Committee A: Sovereign Matters

Ms Sighle Doherty
Mr Adrian Jenner

Committee B: European Affairs

Mr Eliot Wilson
Ms Jillian O'Keefe

Committee C: Economic

Ms Jillian O'Keefe
Dr Rebecca Davies

Committee D: Environmental and Social

Ms Audrey Nelson

Ms Jillian O'Keefe

British and Irish Secretariats

Mr David Gorman
Ms Mary Haran
Ms Jullee Clarke

Ms Priscilla
Hungerford

Sir Michael Davies
KCB

Media Adviser

Mr Mike Burns

*British-Irish Parliamentary Reporting Association
Reporting Team*

Ms Ellie Chainey
Ms Portia Dadley
Ms Glenice Hoffman
Mr Murdo MacLeod
Mr Stephen Rigney
Mr Shaw Stephens

MONDAY, 30 MARCH 2009

The Assembly met at 9.15 am.

PLENARY BUSINESS

The Co-Chairman (Mr Niall Blaney TD): Order, order. The Assembly is now in public session. Will you all take your seats, please? Apologies about the seating arrangements, but they will be sorted out by dinner time.

May I first give you all a very hearty Donegal welcome? I hope that you enjoy your stay here at Solís Lough Eske. I have some brief announcements to make. First, I remind everyone present to turn off pagers, beepers and mobile phones while you are in the room. May I remind Members that the proceedings of the Assembly do not attract parliamentary privilege? I believe that we have a new Member to this plenary: Lord Bew has replaced Henry Bellingham for this plenary. Can you take your seats, please?

NEW MEMBERS

The Co-Chairman (Mr Niall Blaney TD): I have to inform the Assembly that in accordance with Rule 2(a) the following associate members have accepted the invitation of the Steering Committee to assume the powers and responsibilities of members for the whole of the session: Senator Terry Leyden from Ireland; Mr Jim Devine MP, Mr Mark Durkan MP and Baroness Harris of Richmond from the UK; and Mr Alex Attwood MLA and Mr Willie Clarke MLA from Northern Ireland.

ANNOUNCEMENT

The Co-Chairman (Mr Niall Blaney TD): I should inform members that there will be a suspension at 11.30 am for a family photograph to be taken on the steps of the conference centre.

PROGRAMME OF BUSINESS

The Co-Chairman (Mr Niall Blaney TD): Members will have received a copy of the proposed Programme of Business. I propose that we adopt the programme as amended.

Programme of Business, as amended, agreed.

The Co-Chairman (Mr Niall Blaney TD): It would be extremely helpful if those who wish to ask questions during the debates but who have not already given their names to the Clerks could do so as soon as possible, or otherwise indicate to the Chair that they wish to contribute.

The Steering Committee has it in mind if necessary to impose a time limit on speeches of four minutes, with 10 minutes of opening and closing speeches on motions and the like.

RECENT MURDERS IN NORTHERN IRELAND

The Co-Chairman (Mr Niall Blaney TD): On behalf of the Steering Committee, my fellow Chair and I would like to propose a motion on the recent murders in Antrim and Craigavon. Notwithstanding the great progress made in sustaining and stamping the peace, there has been a small and unrepresentative community determined to destroy the peace process democratically endorsed by the people of the island of Ireland. Remembering where we have come from and the price paid by so many, we must not take for granted the stability and the hope that has been created. I ask my Co-Chair, Peter, to read the motion.

The Co-Chairman (Rt Hon Peter Hain MP): Good morning colleagues and welcome. I beg to move:

That the British-Irish Parliamentary Assembly, appalled by the deaths of Sapper Patrick Azimkar, Sapper Mark Quinsey and Constable Stephen Carroll, unreservedly

condemns the recent murderous attacks in Antrim and Craigavon, intended to undermine the peace settlement endorsed in referenda by the people of the island, north and south; expresses its condolences to the families, friends and colleagues of those killed in the attacks; and reiterates its full support for the democratic institutions and all those who work to build a better society in Northern Ireland.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Peter. Before seeking agreement on the motion, can I say that it is proposed not to have a debate directly on the motion, but you certainly can refer to it and to these attacks? On the next two debates, both on the British-Irish relations and the Eames-Bradley Report, when they were trying to put together the agenda, the deliberations that took place in the last couple of weeks was not on the radar. The motion was, I suppose, a later addition. So if we have a full debate on them this morning, it will tighten the agenda so much that we will not have a vigorous debate in the morning and afternoon sessions. If we can give unanimous agreement on the motion, Members can then address the motion during the British-Irish relations debate with Tánaiste Mary Coughlan and the Secretary of State for Wales, Paul Murphy. I would ask Members for unanimous support on the motion, to be debated at a later stage.

Question put and agreed to.

Resolved:

That the British-Irish Parliamentary Assembly, appalled by the deaths of Sapper Patrick Azimkar, Sapper Mark Quinsey and Constable Stephen Carroll, unreservedly condemns the recent murderous attacks in Antrim and Craigavon, intended to undermine the peace settlement endorsed in referenda by the people of the island, north and south; expresses its condolences to the families, friends and colleagues of those killed in the attacks; and reiterates its full support for the democratic institutions and all those who work to build a better society in Northern Ireland.

BRITISH-IRISH COUNCIL

The Co-Chairman (Mr Niall Blaney TD): The next item is British-Irish relations. While we are awaiting the arrival of the Tánaiste, which I believe is not too far away. I ask Paul Murphy to join us at the top table. Thanks, Paul.

[Applause.]

The sitting was suspended at 9.24 am.

The sitting was resumed at 9.32 am.

The Co-Chairman (Mr Niall Blaney TD): The Good Friday Agreement and the St Andrews Agreement marked a vital turning point in British-Irish relations, creating conditions for full trust and co-operation between all the peoples of these islands. The ending of violence in Northern Ireland and the restoration of the devolved Government there have allowed us to prioritise our work with regard to North-South as well as with east-west relations. Representatives of the Assembly discovered within the British-Irish Parliamentary Body a willingness to overcome past differences, to find future solutions. This Assembly sees its role as a vehicle to advance and build upon this new trust. The decision of the Unionist parties to take part in the Assembly is important in this regard.

This morning, the Assembly is delighted to welcome the Secretary of State for Wales and Minister for the British-Irish Council, Paul Murphy, and the Tánaiste and Minister for Enterprise, Trade and Employment is not too far away and is in the vicinity of the conference centre. As Co-Chair I welcome the progress being made by the British-Irish Council and hope that it will continue to work to enhance the peace process in Northern Ireland. It is also hoped that in its deliberations the British-Irish Council will include the additional economic co-operation between both Governments. Certainly, it has been a wish of the Body and the Steering Committee that some relationship will be formed between the British-Irish Council and

ourselves. I know that work is ongoing in relation to this and some negotiations have taken place between authorities both in the UK and Ireland in relation to possible observer status for the two Co-Chairs. Paul Murphy and Mary Coughlan may refer to this during the debate.

I now call on the Secretary of State for Wales and Minister for the British-Irish Council, Paul Murphy, to make his address.

[Applause.]

Rt Hon Paul Murphy MP (The Secretary of State for Wales and Minister for the British-Irish Council): Co-Chair, friends, it is a great delight to be in Donegal. I have never ever visited Donegal, either in the north of the county or the south. It is a very beautiful place, despite the Welsh weather that we are facing here. I apologise for not being able to attend your last conference in Britain. Unfortunately, the National Economic Council met the same day and for the first or second time I could not make it. I wish every follower of Irish rugby well after that tremendous game.

[Applause.]

I was sitting next to the Taoiseach when it happened and he was looking quite a pleased man at the end of it, I must say.

I also pay tribute to the Co-Chairs, Niall and Peter — to Peter especially for the work that he did when he was Secretary of State for Northern Ireland — and to this Body with its new name. As you know, I have been involved with the Body in different forms over many years now and I had great delight in Co-Chairing it for just over two years. It was something I deeply enjoyed and I made many friendships — indeed with many people here today.

On a more sombre note, I thought that the introduction referring to the deaths of the two soldiers and the policeman in Northern Ireland was extremely fitting. I

actually drove past the Antrim barracks yesterday and saw the bullet holes, and it came home to me very vividly that these were terrible events. But I have also been particularly impressed by the reaction of everyone right across the island of Ireland and beyond in condemning them. It was very fitting that you opened your session with reference to those events, and also to the fact that there really is no going back at all.

The relationship between the United Kingdom and the Republic of Ireland has developed in a most remarkable way over the last number of years. When this Body was formed, it was a very different relationship—sometimes rather craggy, shall we say? Today, it is wholly different; the two Governments enjoy an enormous mutual alliance and friendship not just within the European Union but beyond as well. This Body has played an enormous role in bringing that change about. Politicians of all political persuasions meeting together under the social wing of the British-Irish Inter-Parliamentary Body, as it was, meant that there was a way in which they could lubricate the politics and get to know each other. It is very difficult to have real quarrels with people when you meet them on a social occasion. I think that that helped tremendously in the development of the peace process, but also of course in the relationship between Britain and Ireland and with all the other colleagues from the devolved Administrations and from the Isle of Man, Jersey and Guernsey too.

Like Peter, I remember going on a number of occasions to New York where they do not necessarily understand the nuances of Northern Ireland and the Republic and all the rest of it. I was going by train from New York to Washington, and because of security arrangements I had to go into a special lounge and be escorted by an enormous sergeant of transport police, who I think was an Italian New Yorker. I could not get into his head what it was that I did. Between the lounge and the train, he escorted me through the crowd and shouted at the top of his voice, “Make way for the President of Ireland”. I think he understood that I had an Irish name, but he could not quite understand the constitutional position of the Secretary of State for Northern Ireland.

The origins of this Body go back to Strand 3 of the Good Friday Agreement. That is something I know well because Liz O'Donnell and I Co-Chaired — I seem to have Co-Chaired lots of things in my life — the Strand 3 discussions and negotiations. It was, if anything, the easiest of the negotiations because everybody agreed that there should be an east-west relationship as part of the eventual settlement. And so there were no rows, no bothers, no quarrels — but no terrible excitement either. The reason was that although everybody realised that this was a good thing to do, they were not quite sure how to do it. The British-Irish Council was originally formed under Strand 3, which states:

“to promote the harmonious and mutually beneficial development of the totality of relationships among the peoples of these islands”.

Only a committee could have worked out those words, really, couldn't it?

“The BIC will exchange information, discuss, consult and use best endeavours to reach agreement on co-operation on matters of mutual interest within the competence of the relevant administrations”.

It took weeks and weeks finally to work out those words, which at the end of the day said you can have a good talk about things, exchange information and compare notes on good practice.

But ultimately, the BIC does not actually take executive decisions. That is a matter for the individual Administrations and Governments. However, it can, I believe, do an extremely useful job in ensuring, first, that you do share good practice. They met in Cardiff some weeks ago, and in those circumstances you could not talk about anything other than the economy. The point was that all the different Administrations, including the devolved Governments, could point to different ways in which they were trying to help people get through the current recession. Each Government had their own way of trying to tackle the problems that currently face us all on these islands. We went away in the knowledge that there was a great deal

to learn from each other about the various ways in which people can be helped in a very difficult economic downturn. It struck me then that that was the most significant way in which the British-Irish Council could operate.

In addition, it agreed to deal with what it called “work streams”. It now has 11, including the misuse of drugs; the environment; social inclusion; demography; indigenous minority and lesser-used languages; transport; and early-years policy. In February, we included digital inclusion; housing; collaborative spatial planning; and energy. They are huge issues, each of those work streams being headed by one of the devolved Administrations or sovereign Governments, or by the Isle of Man or Jersey or Guernsey. They take the lead and eventually draw up reports that go to the BIC and upon which the individual Governments, it is hoped, will act. That is how it is done.

It has been chequered a bit in the past because when things were not going well in Northern Ireland, it would not meet. Of course, the North-South Body would not meet either, so therefore the East-West Body did not. Now things are much better improved in Northern Ireland in these regards, there has not been a hiatus in the meeting of the BIC for some time. One of the agreements we made all those years ago was that it would make an awful lot of sense if there was a standing secretariat for the Body. At the moment, it is shared between Dublin and London. It is done on a part-time basis, the people in both capitals servicing the BIC as part of other jobs. For the Body to progress, there is a very strong case for an independent, free-standing secretariat. It would be paid for by, and made up of members of, the British-Irish Council. It would have secondment arrangements for the various civil servants who would go there.

All that has been agreed in principle, but it has not been agreed where it should meet — always the most difficult. So far, Scotland, Northern Ireland, Wales and the Isle of Man have all bid to be the headquarters of the secretariat of the British-Irish Council. I suppose that we could put it up for auction really, and at the end of the day those who come up with the best deal will eventually get it in these difficult

times. But there is a strong case, because when it actually functions properly, it will give a new impetus to the Body itself. The next BIC will meet in Jersey — rather nice to be meeting in Jersey in the sun — and it will consider the whole issue of the secretariat and also the future core functions of the BIC, as well as dealing with those issues that I just touched upon.

9.45 am

That is the British-Irish Council, but what about this Body and its relationships with it? Another very important part of the Good Friday Agreement Strand 3 was the parliamentary side of the east-west relations. This Body was already in existence at the time of the Good Friday Agreement — it was not a result of it. As many of you know, there were problems because the Unionist parties in Northern Ireland were, for various historical reasons, at the time reluctant to become part of this Body. I am delighted of course that we have Unionist representation here today. That is an amazingly good development.

So this Body has changed. Your name has rightly changed to reflect that it is not what it was, and that it does in fact represent the parliamentary wing of Strand 3 of the Good Friday Agreement. That now is established. So we have on the one hand the BIC up and running completely, with the secretariat possibly in some months' time, and on the other a newly named and reformed, in a way, British-Irish Parliamentary Assembly meeting here. It is pretty obvious that there should now be a good look at the relationship between the two.

How can you improve the relationship? How can you define it? I have a few ideas, as I am sure has Mary and many of you. The ones I am going to throw into the ring, so to speak, are these. I think that there is a case for every one of your conferences to be addressed by a British-Irish Council member, not necessarily a member from Dublin or London but a Minister chosen by the BIC to address you at each of your conferences. It could be that it would be appropriate for the Minister, whoever it might be, to talk about the theme which is dominating your conference.

For example, if you were dealing with energy, it would make sense to have an energy Minister here from one of the devolved or sovereign Governments to talk about that issue. There are others too.

There is a considerable argument for the reports of your committees to be forwarded to the British-Irish Council for its consideration. In that respect, it makes sense that there should be some harmony between what the BIC and this Body are investigating. I have just given you a list of the work streams of the British-Irish Council, and it seems to me to make sense that some of those issues, which doubtless you discuss anyway, ought to be simultaneously debated by yourself and by the BIC. Your conclusions should be forwarded to the BIC. However, I do not think it would be right if that were the only way in which you should put your deliberations to the BIC. I think there is still a very strong case for your conclusions to be forwarded to the individual Governments as well, complementarily. But I think that it is a good idea for that to happen.

I also think that it would be useful to see whether observer status for the Co-Chairmen, or whoever you decide should go to the BIC, ought also to be considered by the BIC. In other words, a much closer working relationship is required and will serve us all well. It seems to me a little daft if, after you have spent a lot of time discussing one subject and the BIC has spent a lot of time discussing another, the reports are simply shelved or only looked at interestingly. There should be a co-ordinated effort by everyone to decide on the important issues of the day and parliamentarians and Ministers should discuss them together.

My thoughts are that whatever you conclude this morning should be forwarded to the British-Irish Council. I suggest that between now and the autumn officials from this Body and officials from the BIC draw up some ideas which form the basis of a protocol of a working relationship between the British-Irish Parliamentary Assembly and the British-Irish Council. That would form a very good basis for discussion among the Ministers, because it will have to have agreement from all Ministers of the BIC in order for that to be effective. I have no doubt in my mind that there will be little

opposition, if any, to those suggestions, but, technically, it will have to be agreed consensually by all the Ministers attending the BIC.

So there is an awful lot to be done. I think that your organisation, meeting as it does in a completely new format, sets a new scene. No longer is it dominated by the issues of Northern Ireland, but it is deeply involved with them. It goes beyond that because, as you know more than anyone, this is the only parliamentary body which brings together parliamentarians from the devolved Administrations and the dependencies as well as the two Governments. It is the only way we can talk about the various issues together. For that reason, it is an extremely important body. I was delighted to be its Co-Chairman for those two years, and I wish you well in the remainder of this conference. Thank you. *[Applause.]*

The Co-Chairman (Mr Niall Blaney TD): Thank you, Paul. That was very helpful as regards forming a relationship between the British-Irish Council and ourselves. I am proposing to hold questions until the Tánaiste has made her address, if that is agreed.

In welcoming you all here this morning to Donegal, I did not tell you that this is not my constituency, but it is the constituency and town of the Tánaiste. So it is very fitting that she addresses us here this morning. We are a little behind time, but we look forward to hearing her address.

Ms Mary Coughlan TD (Tánaiste and Minister for Enterprise, Trade and Employment): Thank you very much. First, I welcome you all to this part of the world — to God's country. I have to be very careful because my opposition Member is here. He is also welcome to this part of the world, but he is not allowed to stay too long. Sorry about that Dinny.

Co-Chairmen, I am delighted to have you here. My apologies for the lateness of my arrival. As you can all appreciate, you are lucky I am here at all because we have another Cabinet meeting this afternoon and I had to get down late last night. I am

very pleased that at this thirty-eighth plenary conference, the first gathering of the British-Irish Parliamentary Assembly, that you have chosen to come here. For my own part, I want to thank Niall and Peter for the invitation. I have known and worked with Peter for some time as a Minister. I have to say, Peter — I hope that people do not take this in any disrespectful way — when we talked about moving on over the years from peacemaking to seeing a peace divided, one of the things we worked towards was introducing the World Rally here. In itself, it was a culmination not only of bringing a sporting occasion here, but also giving real investment. So I am glad to see you here. The last time I saw you in this part of the world, you were looking ferociously sexy in one of those big zip-up suits which I decided I would not get into. But white is your colour.

Paul, we are delighted to have you here and to welcome you and perhaps we will have an occasion in a few minutes to interact on a number of issues. Looking around the room, I see a number of people I knew for many years when I was a Member of this auspicious Body. I am glad to see that we are all still surviving. I see Mr Mates, who always used to give me a little bit of good adversarial advice and I learnt a lot, but it is great to be looking down on you now.

That being said, I want to move on to some of the views expressed by some of the other guests and deal with the approaches and changes that have taken place in this Body and how that reflects the change that thankfully we are now working and living within. I have to say that my participation in this body, from my own perspective, was most informative and without a shadow of a doubt played a crucial role for my better understanding at that time between North and South, east and west. A lot of relationships that have grown and developed, and have been augmented, as a consequence of so much change have been hugely beneficial. I speak for every Member of the Body, now the Assembly, some of whom have been Members for years, in saying that without a shadow of a doubt the engagement, the friendship, the banter and the debate has been hugely beneficial to us as parliamentarians. That link between the Oireachtas and Westminster, and now more recently all the Assemblies, provides better and more informative channels of communication. The

deepening of those relationships and awarenesses have been very much part of the maturity, growth and development of this Body.

The recent change of name of the organisation certainly reflects the change of focus of the Assembly. We all know that the Good Friday Agreement and the St Andrews Agreement have delivered peace, prosperity and stability to Northern Ireland by accommodating the rights and interests and, in my view, the legitimate aspirations of all. As a direct consequence, the political, economic and cultural relations that exist between Ireland and Britain are now stronger and more fruitful than they have been in the past. It is therefore a very appropriate time for us to focus our attention on our east-west relations, rather than primarily on Northern Ireland-related issues.

But before moving to those east-west themes, I would like to take the opportunity here at the Assembly to say a few words on behalf of the Government about the recent shocking and tragic events in Northern Ireland. Our thoughts and our prayers go out to the families and friends of the three men who were so callously gunned down in Antrim and Craigavon a few weeks ago. Those who carried out such acts cannot, and will not, be allowed to undo the tremendous progress that has been achieved in Northern Ireland. These murders were truly appalling acts, and while they cannot and should not be ignored, it is important to remember that those who perpetrated these atrocities are on the fringe of society and do not represent, or have the support of, the people of Northern Ireland, or for that matter the island of Ireland.

The efforts of a few who would seek to drag Northern Ireland, and the rest of us, back to the past will not be allowed to succeed. *[Applause.]*

The Irish and British Governments, in partnership with the Northern Ireland Executive, will work together to ensure that the incredible progress witnessed in Northern Ireland in recent years is sustained and will continue to grow in the future.

The most important link between our countries is, of course, our people. Many thousands of Irish people have settled in Britain over the years and have successfully built their lives there, while retaining a strong sense of Irish identity. It is hard to believe that there are more than 100,000 British citizens living in this jurisdiction today. As a result, there are so many areas where we share common interest and where we have the potential to work together to the mutual benefit of all of us. It is clear, for example, that we have much to learn from each other as we meet the challenges posed by the ongoing global financial crisis.

I know that at the last two summits of the British-Irish Council — those in Edinburgh and Cardiff — the Council had extensive discussions on the impact of the global financial crisis, focusing on the common challenges faced by the member Administrations and also examining ways of helping the unemployed and those at risk from redundancy during this difficult time.

The Council has also focused its efforts on looking to the future to ensure that all its Members have the capacity to emerge from this recession with the skills necessary to take advantage of the upturn in global markets when that time comes. I understand that this Assembly has expressed a desire and interest to develop links with the British-Irish Council, and, for our part, the Government are well disposed towards such a development. I assure both Co-Chairmen that I will take that message, which arose from your discussions this morning, back to the Government. I echo what has been said by the Secretary of State: we will work towards the development of those linkages between the Parliamentary Assembly and all the respective Administrations and Governments. You can rest assured that I will follow that through on your behalf.

10.00 am

The theme in Cardiff was social inclusion. That clearly demonstrated that the Council is focused on issues that are of critical importance and of particular relevance to today's difficult economic times. In Cardiff, the role of the voluntary and

community sector was highlighted by the Council, and measures to support these important organisations at a time when demand on their services is increasing were examined.

The Council has also targeted other important areas of mutual concern. At your last plenary, you heard from my colleague the Minister for Energy, Eamon Ryan, about the important work that the Council is carrying out in examining ways in which Governments, agencies and researchers across the BIC Administrations can work together to improve understanding the impacts of climate change and the value of working together on energy issues. You can see the culmination in real terms of the outcome of that work in the announcement yesterday of the east-west interconnector. That has been achieved through collaborative work between all the Assemblies, particularly the east-west relationships, and supported by the European Union, and is hugely valuable and important for us all. It was through our collaborative work, pushed by parliamentarians, that we see its culmination.

The Council also plays an important role in sharing best practice and the promotion of minority languages, focusing its 2009 work programme in this sector on the areas of minority languages and young people, and on primary education. It has done useful work in examining different approaches to language legislation and language promotion strategies across these islands.

It is clear that the Council has a wide-ranging area of work. As has been said, it has developed and changed to reflect the realities of the challenges that we all face. They are common to us all and there are new, innovative ways of thinking. There is currently a great saying, "We have to do more for less". All of us have to rise to that challenge and through innovation and new ideas we can deal with that.

As a deputy for this part of the world, I have to say from a Donegal perspective that through that collaborative work, and through co-operation, we can understand how we can deal collectively with those challenges, particularly as regards cross-border co-operation.

I just want to say one or two things about my own portfolio in the context of enterprise, trade and employment. One of the things that has had a positive effect on the entire region has been foreign direct investment — on either and both sides of the border. It has been of benefit to us all, regardless of its location.

The economies of the counties of Donegal and Derry are closely linked. The Northern Ireland Regional Development Strategy identifies a cross-border role for Derry city as a regional hub for the North West, while our National Spatial Strategy identifies Letterkenny as a gateway for cross-border significance.

Increased FDI in the region depends on partnership, co-ordinated planning and implementation of joint strategies between the North and the South. These strategies increase the scope and potential for future joint development. And an integrated approach gives a greater scale and a broader range of activities for potential development.

The potential of a natural hinterland for economic growth, such as Letterkenny/Derry, is being enhanced by that common approach. A broad range of cross-border activities, common marketing and promotional activities is very welcome. We also want to see the outcomes of such joint initiatives between North and South. They include the NorthWestNow promotional campaign, a collaboration between IDA Ireland and Invest NI aimed at enhancing the promotion of the North West Business Technology Zone and the wider North West Region.

The two enterprise agencies have been working together on a programme since 2003, and recently they launched a new website and brochure to be distributed globally by IDA and Invest NI. That resulted in an ideal infrastructure which encourages and looks at new opportunities within technology-led investment.

Another example of cross-border partnership is the Inter-Governmental North West Gateway Initiative, launched in 2006. It will certainly strengthen the North

West Business Technology Zone and complement the work that has successfully been completed.

Other initiatives will enhance the region's attractiveness for FDI investors, including the Ilex regeneration project in Derry city and the transatlantic Kelvin Communications Project. That will provide high-speed bandwidth at substantially reduced prices. I see Mark giving me the eye here, so there is a little bit of controversy. People sometimes need to calm down. Let's not lose centre stage. We got the money; we got the project; and we got the tender. I know it is all about location, location, location but I do not know whether all colleagues are aware of the situation. We worked through it in a mature way and no one lost their head.

All that investment and cross-border co-operation has enhanced the potential. Yes, it will keep us keen and create a little bit of competition, but Paul, as someone who has to look after Wales, will be aware of the little idiosyncrasies between the needs of the Welsh, the Scots and the English. By having that keenness and co-operation, we will see the big picture. The one thing that is difficult to see in difficult times of economic challenge is that the competition is not necessarily where you are located.

In the context of Europe, I have to say that at difficult times we should not take positions which in the long term will be detrimental to the growth of the European Union. Equally, within our own Assemblies, we should not take decisions that have a terrible impact on our own areas and prevent us from seeing the big picture. The competition is not necessarily between us and Northern Ireland, or east-west, or between us and France. The competition is outside the EU and we should be very cognisant of that and not make mistakes that will have short-term gain but long-term negativity.

I also know of the work of InterTradeIreland. It has a job of work in realising economic opportunities and economic activity, and I want to take a keen interest in the focus of that work and how it would augment and develop the North-South

initiatives and the competitive environment of this island. As has been said, not only on the reform of this Assembly but on the reform of the big North-South ministerial discussions, the reforms of our institutions are hugely important. We must strategically look at the needs of those who have elected us, and at the greater economies. In the context of InterTradelreland, I will be working with them to refocus and see where the greatest benefits can be accrued in North-South co-operation.

Overall, if you want to get a key message, it is yes, greater interaction between the Assembly and the BIC is hugely important. I hope that that interaction will be beneficial, and I have given an undertaking that I will work towards that. The focus now will be on the sustainability of our economies and dealing with the global challenges.

I say to the Co-Chairmen that deliberations in that context would be very welcome. I know that within your own committee structure you take a number of key and important areas that are hugely beneficial. When I was Minister for Agriculture, your committee came to me and we worked together on a number of issues that were hugely important to the Assembly. In economically challenging times, I would be more than happy to work with your own committee to look at any new innovative ideas and to take on board any of those initiatives from my own portfolio. I am sure that I speak also for all my opposite numbers.

Challenge and change are not insurmountable. We will have to refocus our energies. We will certainly have to do more for less, but I believe in the potential of the people, regardless of where they live, and in their capacity in working together. Through real co-operation, we can create a different economic climate, refocus our economic potential and, at the same time, work together. We must not take measures that are inappropriate and for the short-term gain, but we must work towards the long-term advantage.

Despite the challenges that we have faced in the North West for many years —

they were very difficult, particularly when we did not have peace — we followed through on friendships and on mutual respect for people who were elected North and South. As a consequence, we have worked towards a framework in which we can get a real peace dividend. In my view, that is without doubt creating opportunities for people to live, to work and to be part of the economy and for them to make a huge contribution to that. Many of the frameworks and collaborative work that we are involved in North and South will bear fruit and will be hugely beneficial.

The east-west links and INTERREG are hugely important for us all. The interconnector is also hugely important. Within the BIC, and with the support of the Assembly, we can see further collaborative work. With that mutual co-operation and respect for each other, and anticipating the challenges we will face in not always being able to do what we want, there will be huge potential in that collaborative work.

I know that we all work far too hard, but I hope that people will take half an hour or so to enjoy the sojourns of this small, modest county of mine. I thank you all very much for coming to Donegal — it certainly gives us a great boost to see people of the calibre of the Assembly Members, and of the Secretary of State and Co-Chairmen, coming here. I hope that your deliberations will be fruitful and beneficial and I would be more than happy to take any questions from the floor. *[Applause.]*

The Co-Chairman (Mr Niall Blaney TD): Thank you very much, Tánaiste. The comments made by both speakers on the future relationship between the British-Irish Council and the Assembly are very welcome. I believe that I am speaking on behalf of the Assembly in saying that we are pleased to note the good progress being made by the BIC in sharing information and best practice across a range of areas of mutual interest and concern.

We want to acknowledge the important work of the British-Irish Council in building good relationships between members of the Administrations and the people of these islands. New understandings between Britain and Ireland allow all people of

these islands to mutually benefit from the positive changes of the past decade. Certain Governments have taken a lead in reinforcing co-operation on a huge range of issues of mutual concern, as outlined earlier by Paul. I can certainly say that this Assembly can assist and further develop such positive co-operation.

I repeat that I very much welcome the comments made by both speakers this morning and the three or four pointers that Paul gave us. I liked his language in taking about this Assembly being a possible parliamentary wing of the BIC. We have talked about that for some time. I am glad to get the positive contribution from both speakers this morning, and I hope that we can work on that and build a lasting relationship between both bodies. That will give us all a secure future and will be to our mutual benefit.

The Assembly is determined that its main focus should now be east-west. None the less, developments in Northern Ireland continue to be a significant interest to its Members as it continues in its transition to a fully normalised and peaceful society. As mentioned earlier, these murders in Antrim and Craigavon are a stark reminder of that.

The current global economic and financial storm has deeply affected all our economies. Unemployment is again becoming a major concern. The way forward is for us all to work together to find a way out of this current crisis. The islands of Ireland are working collectively together and bilaterally under the European context.

I now must take questions from the floor and intend bunching five together at a time. The first indicated so far is Michael Mates.

10.15 am

Rt Hon Michael Mates MP:

Thank you, Co-Chairman. It is a pleasure to see two old friends of the Assembly back with us. I remember Mary when she was here as a Member, young and new to

politics, and now she is back again, and young and nearly at the top of the tree. I am very happy to look up to her, as I always did.

When Paul was appointed to the British-Irish Council, we kind of knew that he was on our side because he was the one, when he was the poacher, who was advocating better relationships and a role for us. Now that he is the gamekeeper, I am very happy that no one else has thwarted him in what he knew was the right thing to do. I particularly am looking forward hugely to a closer working relationship, not merely a symbolic one.

There are several things that we can do. First, I am delighted to hear both Mary and Paul say that they will receive our reports. Perhaps I may respectfully say to them that that is one thing, but we will need responses to them. We have rather signally failed to get responses, particularly from my Government, to the reports that the Assembly has issued. So, yes, we will send you our reports with the greatest pleasure, but we hope that they will not just fall into a deep pit. We hope that you will give us your comments of agreement or disagreement. That will be helpful.

Having representatives attending your meetings, if you can achieve that — be they just the Co-Chairmen or selected representatives from here and there — will enable us to start to co-ordinate our work. If something is troubling us, we can tell you and perhaps you can take a look at it from the ministerial side of the fence; and if there is something troubling you, you can tell us and we can look at it from the Back-Bench side of the fence. This seems to me to be a thoroughly good way to start to address some of the knotty problems which will face all the jurisdictions in these islands. I refer not only to the North-South relationship, but to the wider and deeper relationship which we will develop as we change our role now that there is peace in Northern Ireland, and as you change your role in the BIC. There are many difficult challenges that we must all face.

Senator John Carty: I have a question for the Tánaiste. I am delighted to be here in her constituency. I know that she has a huge welcome for us.

Is a programme in place to provide backing for sustainable and viable companies to ensure that their employment is maintained and funds are available to sustain their growth? In the past, the IDA and other agencies had grants available for people to develop and start their own business, and it is worth noting that these businesses were not necessarily expert or high-potential setups. Thank you.

Mr Jim Wells MLA: I suppose that this question is really aimed at Paul Murphy and his comments. As Peter Hain will remember, I chaired the Programme for Government Committee, which led on to the St Andrews Agreement. My party and the other Unionist parties made great play about the importance of a self-sustaining, dedicated secretariat for the BIC. I was recently over in London, courtesy of Lord Dubs, and we interviewed some of the BIC secretariat, as they are at the moment. It transpired that we had a quarter of one person and one tenth of another, and perhaps, if we are lucky, two thirds of a different person. But they had no specific office.

Comparing that to the huge budget and palatial splendour in Armagh of the North-South bodies and what they have, and the millions of pounds at their behest, we believe that now, two years after the St Andrews Agreement, it is time to act immediately on the setting up of a full-time secretariat with specific officers. If nothing else, it would be symbolic. We as Unionists like to see a strengthening of east-west relationships, and it is hard to put it in the same status as the North-South bodies when we have part-time, ad hoc arrangements.

So the message from my party is: please could we see some urgency in that issue? We see east-west as becoming increasingly important, as both our speakers emphasised. If that is the case, can we start to get that symbolised in the actual structures and could we see it please before the next meeting in Wales?

Mr Johnny Brady TD: Thank you, Co-Chairman. I would like to be associated with all the remarks to the Tánaiste. I have two questions for her. I want to say, first, that we are delighted to be in this beautiful county and delighted to be in these very fine premises in your own constituency.

The first question for the Tánaiste is: are there any further plans to encourage the development of new business — local business as distinct from high-tech industry? Secondly, is there a way for state agencies to use their expertise to work with banks to identify companies that can create wealth and employment which can be fast-tracked? That is very important at the present time. Thank you, Co-Chairman.

Mr Brian Hayes TD: I just want to put a straight question to the Secretary of State and to our Tánaiste. The fact of the matter is that there is absolutely no parliamentary scrutiny of the work of the British-Irish Council. Would they consider my proposal as a means of trying to address that issue not just between this Body and all the Governments, but between our respective Parliaments?

For instance, when an EU summit takes place, it is the case in Westminster and in the Oireachtas that immediately afterwards there is a full debate in those Parliaments. I am not sure whether the same applies to the devolved Assemblies. But it would make sense that once a BIC summit is concluded, there is a full Dáil debate at the next available opportunity. All Members would then be able to address issues to the lead Minister — in our case, on the misuse of drugs.

I made that proposal recently to the Taoiseach, and he seemed quite open to it. I think it would be good, because there is no parliamentary scrutiny or oversight of any of this. If we are serious, we have to change the way in which our own Parliaments address the issue. One of the ways that we could help would be to have an automatic debate triggered once a summit is concluded. Then even in our own respective Parliaments, we will be seen to be putting pressure on the Government to deliver on their particular area of the work programme.

The Co-Chairman (Mr Niall Blaney TD): Thank you Brian. That is the first five questions, so we will kick off with Mary.

Ms Mary Coughlan TD: Dealing first with Brian's question, and leading on from what Michael said, I agree that we are great at discussing and writing reports, but the follow-through is important. I certainly feel that that suggestion has a lot of credence. Often times people do not even know about the British-Irish Council — they do not know about its role or its work — and if the subject does not go on to the floor of the House, it is difficult for the media to take it up. So I certainly would not have a problem and I will speak to the Taoiseach again and follow it through.

As regards action being taken on reports, mentioned by Michael, that too is hugely important. They come up with different ideas and perspectives, and I will certainly take that on board.

I want to thank all my own lads for the nice, hard questions. The theme is stability, and that is why the stabilisation fund for companies has been announced. That is €100 million-worth of investment. It looks strategically at the companies which are finding things difficult and which, without the present market difficulties, would need no support. They are companies which we feel will have export potential in the near future. Enterprise Ireland is working with my own department to put together the final touches to the framework for that. I certainly feel that that investment will be hugely important. It will be done through equity, with a development plan, and that will be one of the areas where we can bring stability into a number of companies.

The other issue is that the role of Enterprise Ireland and IDA has changed in that it is export-oriented or FDI-oriented. That is why the county enterprise boards are, in my view, hugely important. Refocusing that for the SME sector with between 10 and 20 employees is something I want to work towards. In other words, for the benefit of Members here, we have a lot of micro businesses which can be supported through leader or county enterprise boards. However, they fall through the net in that the

rules and regulations are pertaining to those from micro industries, and larger industries must move from having potential within our own markets to export-only. That is a policy we are looking towards, particularly at this time when SMEs are going to be the only way that we will trade ourselves out of the present economic difficulties. I am therefore looking towards getting greater traction between moving from up to 10; 10 to 20; and then those within the SME sector, which is 250 people.

Those are a number of initiatives. Furthermore, the access to working capital is commonplace among everyone. It is a matter of huge concern to me. As you know, we have recapitalised two of our banks. I set up what I call a war cabinet within my own department, made up of all of the state agencies, including those not accountable to me politically. We have had a huge interaction between ourselves and the banks. I have made available a number of my experts from Enterprise Ireland to the banks; they will be transferred into them to look at the business needs of the community, and some of those in banking are coming into Enterprise Ireland. The focus needs to be strictly in enterprise at this time.

Secondly, we have set up a clearing house between the state agencies, the Government and a number of businesspeople whereby we will look at turnover of lending and the criteria set down by the banks. We will use that clearing house as a method by which we will deal with a lot of the annoyance — I am sure that every Member of the Assembly here is familiar with the concerns of businesspeople in being unable to get access to working capital, or concern that the rules and regulations for working capital have been changed to such an extent that they cannot manage.

Those are two initiatives that we are working through, and I certainly feel that arising from the outcomes of the clearing house we will get a bigger picture on some of the issues that are very important to businesses for them to be sustained. It is important that we do not go from our current position to a point where banks will take no risk at all. Lending is a risk, business is a risk, but we need to get ourselves refocused, strategically looking at the needs of enterprise. Those are a number of

initiatives that we are working towards in looking at stability in employment.

Rt Hon Paul Murphy MP:

On working relationships, which Michael raised, that is exactly the right definition. We have to work very hard at ensuring that there is proper co-ordination between the activities of the BIC and this body. I suppose some are self-evident; for instance, the issues that Mary referred to. It is interesting to hear that the challenges and problems concerning our islands are identical.

Responses are important and reports must not go into the ether and never be seen again. If nothing is going to happen, there is not much point in writing them. But it is about co-ordination, which is possibly the number one logistical issue that we must overcome.

Brian talked about scrutiny, which is also important. How you actually scrutinise a body like the BIC will take some thinking about because there is a mixture of different parties, backgrounds, Governments, responsibilities and systems. Nevertheless, it may ensure that the subjects that are discussed are the right subjects to discuss, and the communiqués issued at the end of each BIC could form the basis of a debate by this body.

It is always important to ensure that we get the appropriate people talking to us. In all those different work themes I have touched on, it will be someone different. Let us take, for the sake of argument, indigenous minority and lesser-used languages. That has been led by the Welsh Assembly Government and it would be appropriate for the Minister with responsibility for languages in the Welsh Assembly Government to come here and respond to a report of this Body on that issue. The same applies to all the other themes.

Jim was right in pointing to the importance of the secretariat. Without it, the BIC is not what it was intended to be. Perhaps I may give you an update on what is being dealt with at the moment. At Cardiff, the council agreed core functions, staffing

profiles and secondment arrangements. It noted the location and talked about how it is going to be paid for—the system of sharing the costs of when the body is set up. The idea is to take the decision on that when we next meet in the autumn in Jersey.

The body is now starting to take real shape, as it should have done some time ago. When it is set up, the BIC will take on a different sort of function. I therefore very much agree with what you say.

10.30 am

The Co-Chairman (Mr Niall Blaney TD): The next bunch of speakers will be John Ellis, Lord Cope of Berkeley, Rory O’Hanlon, Alex Attwood and Noel Treacy.

Senator John Ellis: Thank you, Co-Chairman. First, we would all like to welcome the Tánaiste here. She has to go back to Dublin so this is probably a fleeting visit home — in the door and out again. What is important today is the commitment that has been given by both the Tánaiste and the Secretary of State regarding future co-operation between the BIPA and the BIC. Their commitment means that there will be a much more expanded role for the BIPA, which is to be welcomed.

I ask the Tánaiste whether she can reassure the public that industry in general is in a healthy state and will emerge from the present economic downturn with renewed vigour. When looking at the whole industrial spectrum, we see certain industries starting to thrive again, but other industries need encouragement, whether capital or otherwise, to ensure that they can survive the present downturn and emerge with much more vigour. Thank you, Co-Chairman.

The Lord Cope of Berkeley: First, perhaps I may say how very nice it is to be here in Donegal. It is my first visit and I hope that the mist lifts long enough for us to see some of the area before we go home. Thank you for inviting us. Has the BIC discussed the proposed introduction of immigration controls between the UK and the Republic of Ireland, and for that matter the UK and the Channel Islands and the

Isle of Man? This proposal is going through the British Parliament, and I would like to know whether the BIC has discussed it and to what effect.

The Co-Chairman (Mr Niall Blaney TD): The Tánaiste assured me this morning that she is working pretty hard to try to lift the weather for us. We look forward to that.

Dr Rory O’Hanlon TD: Thank you, Co-Chairman. While I fully support the motion that we passed this morning, I think that it is important to recognise the outright condemnation by all the parties in Northern Ireland, both in the Assembly and the Executive, and by the general public. The level of outrage, which we have not necessarily always seen in the past, was most encouraging.

I welcome the comments made by the Tánaiste and the Secretary of State. In regard to the Secretary of State’s comments, I very much welcome the fact that he would see a greater role for our Assembly in working with the BIC. I hope that that will be progressed, and that at the next plenary session in six months we will have an opportunity to develop that and have our first opportunity to comment on the work of the BIC.

I have a question for the Tánaiste. Will she say something about the level of co-operation between the Irish and the British Governments both inside the EU and bilaterally in addressing the present serious economic situation?

Mr Alex Attwood MLA: Thank you, Co-Chairman. If you look across the range of institutions within and between these islands over recent weeks, it is interesting to see a new level of stability and assuredness that characterises them all. Paul outlined at the BIC meeting in Cardiff that it had adopted four new areas of work, including housing, energy and spatial planning. Jim Wells properly said that it was time to create a permanent secretariat for the BIC. On the Northern Ireland arrangements, the Assembly in moments of great provocation and threat in recent weeks displayed a deep stability and assuredness in response.

All of that leads me to this observation. My sense is, given that this new stability and maturity characterises the institutions that we all share, it is the best time to maximise and develop their workings. That should be done in the way that people have described this morning for the BIC and the BIPA. In that regard also, it is time to maximise the workings of North-South arrangements. Arising from the St Andrews Agreement, there has been a review initially of the current workings of North-South and now another to see whether we can enlarge and expand that. Given the new maturity and stability that we see all around us, such reviews and developments across our arrangements are a strong response to the level of terrorist threat that we have seen in the last few weeks. The dissidents want to destabilise political and policing arrangements, and thereby destabilise the community. If within all those political arrangements and institutions we demonstrate maturity and stability to ever higher levels, which I think will benefit everyone in this room and everyone on these islands, not least on a North-South basis, over the next year as the dissident threat, which will be spasmodic, continues, that big method will be not doing stuff in the interests of all the people of these islands, but doing stuff that puts the message firmly in the face of the dissident threat.

Mr Noel Tracey TD: Thank you, Co-Chairman. At the outset, I endorse what Michael Mates and Jim Wells have said about reports from this Assembly and its constituent committees. It is very important that these reports go to the BIC for consideration by the respective Governments and to the various parliamentary committees in the UK, Northern Ireland and the Republic of Ireland.

On Jim's point, it is important that we have that full-time secretariat, and that these reports can be analysed and transferred to the various parliamentary committees in all these islands. Then, the broader political membership will be fully aware of our aspirations and commitment to partnership and co-operation in the interests of all our peoples. That is very important and we must focus on that as we go forward.

Tánaiste, it is good to be in your county — we always love coming to Donegal. We

have a global economic crisis and if we are to sustain ourselves through that, it is important to look at the world and at the opportunities that it can present for us here as regards exports and so forth. Particularly in view of the fact that we export nearly 90% of our products, can you tell us what steps are being taken to stimulate the development of new business across the island of Ireland? Are there any alternatives to facilitate inter-trade and cross-border trade, and international exports outside the EU? Is there any assistance or incentives for businesses on this island to achieve that in this current climate? Thank you, Co-Chairman.

Rt Hon Paul Murphy MP: Thank you, Co-Chairman. A number of themes have come through. Migration was discussed at the Edinburgh summit under the general work theme of demography. But the specific issues currently going through Parliament would be more likely to have been the result of negotiations directly between Governments as opposed to the sort of thing that the BIC would generally do. But the general issues of migration certainly have been discussed, led by Scotland. They are very important issues indeed.

Rory was touching on the BIC relationship. Perhaps I may remind us of the timescale because Peter and I were talking just now about it. The chances are that the BIC will meet before you next meet in session. Therefore the protocol and the memorandum which could be brought to the attention of the BIC would be before you at your next session. That is very important.

Noel's point about parliamentary committees was very important. We must ensure that your reports are given to the parliamentary committees in each of the jurisdictions. Often, some good stuff is overlooked because people simply do not read them. If an issue is of great concern to a particular Select Committee, for example — in the House of Commons in my case — it could be very useful to receive it.

Alex rightly made the point about the stability of the institutions. All of us should be conscious of that and of the fact that these wicked people who did what they did

the other week will not overturn the work of institutions such as this. Ultimately, coming together in these forums means that everyone is collectively opposed to what has happened and is quite right in saying that what is so meaningful is that everyone, irrespective of political background, condemns what happens and that there is no turning back.

Ms Mary Coughlan TD: I have a couple of responses to make. I wanted to pick up on something that Alex said about the maturity that we now have and how it can be used in many different ways, most particularly from a North-South relations perspective. As Tánaiste and Minister of State for Employment, I can say that we have had considerable success in working with colleagues. We have had to focus our minds on the needs of the economy and of our people. Not that long ago, we launched the first All-Ireland Skills Strategy, which I feel will be hugely beneficial. We are working through that, taking best practice and seeing what the needs will be for the economy over the next five, 10 and 15 years. We want to see how we can best work towards that and not be reinventing the wheel. What is done in Northern Ireland in best practice and what we do, we can share and, as a consequence, cut out the flowery parts and stick strategically to the skills needs of the economy. There has been a realisation and a working together, and we have not taken a silo approach to how we do things and how we work together.

That has worked well from a trade point of view. However, we will not all agree on certain things — I will not talk about the elephant in the room. One thing in particular is causing huge stress within our economy, and that is the value of sterling. We will be convivial on this occasion, but that there is a huge challenge not just here in Donegal but for the Irish economy.

That brings us to the question of collaborative working between ourselves and the UK Government and within the EU context. A number of things arise but I know that we will disagree. I am firmly of the view that our participation within the eurozone, from the Republic of Ireland's perspective, has been very important to us. As a consequence, we do not have the luxury or otherwise of devaluing our currency

or, for that matter, creating more currency. Some people would see that as a straitjacket. I disagree: my view is that our participation within the eurozone and within the euro has been hugely beneficial to us. As a consequence, we have had to work within difficult frameworks, but at the same time it is the place to be.

Therefore, there will not necessarily be a commonality between us and the UK Government on a number of issues. However, I know that the Minister of Finance travelled to London over St Patrick's Day, where he worked closely with officials in finance in the UK and with the Chancellor. As a consequence of sharing and looking at new, innovative ways of dealing with these issues, we have had good collaborative work.

10.45 am

On our current challenge, I was delighted to see that when the heads of state met in Paris, despite the temptation of protectionism, we are taking an EU perspective on working together and sharing ideas. We would love to see EU responses that would have quick outcomes. Unfortunately, that is not the situation, but there is a commonality in the need to do a number of things: first, securing the banking situation not just for us in the Republic of Ireland but from the EU perspective; secondly, supporting enterprise; and, thirdly, considering how we can activate people back into work.

There are therefore good EU initiatives that we can work through, and there are those in the EU investment portfolio that the EU has put together for its Stimulus Project. We in the Republic of Ireland have benefited from that as regards energy.

As regards that message, what hope do we have, from a Republic of Ireland point of view, for businesses and new opportunities? First, we have the stabilisation fund; secondly, we are working on the issue of credit insurance and access to working capital and the initiatives that exist there; thirdly, despite dealing with public finances, we continue to ensure that we do not lose sight of strategic infrastructure

and capital investment; and, fourthly, from my own perspective within my department, supporting enterprise, research and development, science, technology and innovation is a strategic way in which we will trade ourselves out of our present difficulty.

It is by being innovative that we will do that and therefore I am anxious to ensure that the investment made available through those initiatives will continue. From a taxation perspective, supporting research and development, as you saw in the last budget, of 25% has been very helpful. There has been a reiteration of our corporation tax portfolio. I am also working closely with officials in all the departments where we can see new opportunities in intellectual property. Strategically, in my view, the top-end, high-end investments are needed, but as regards the SMEs I will be pushing vociferously with vice president Verheugen on how EU policies will also orientate themselves towards the SME sector.

We can be blinded by FDI and we can lose sight of what strategically is the most important part of our economy; that is a person who creates one job or 100 jobs at home. I hope you do not mind this, but when I was Minister for Agriculture I was always of the view that we are the food island, and I continue to be of that view. From a policy perspective, although we cannot but say that the investment of FDI has been hugely beneficial to us, it would be more important to have a stronger SME sector which in itself could become the FDI of other parts of the world.

The Co-Chairman (Mr Niall Blaney TD): The next five speakers are Arthur Morgan, Willie Clarke, Margaret Conlon, Ken Maginnis and Terry Leyden.

Mr Arthur Morgan TD: First, I strongly support the condemnation by the Tánaiste of the recent events at Craigavon and Antrim, which she described as shocking and tragic. Many of my own colleagues have spoken out in clear terms to condemn those actions, which I am confident will not derail the peace process or disrupt the Assembly's work. Indeed, the Tánaiste gave a practical outworking of those new arrangements in the joint marketing of Donegal and Derry, which is a good example

of the positive outcomes that will continue.

The Tánaiste also said, “More for less.” We obviously need more co-operation all the time — we need constantly to build on that, and it is a critical element for all of us in the time ahead. I hope, by the way, Tánaiste and Secretary of State, that the promised investment in infrastructure, particularly in the north-west, will not be hampered too much by the economic downturn and that commitments in the national development plan can be fulfilled. I accept that that will be a huge challenge, but when we see the isolation of Donegal, Derry and other counties up here it is clear that infrastructure is urgently required.

On the work of the Assembly itself, in all our Parliaments most of the work is done at Committee level. It is a just a matter of bringing the fruits of that work to the public and getting it implemented—that is the key. I have served on the Assembly for about six years, and during that period I have seen a significant improvement in relationships generally. The Welsh, the Scottish, the Irish, the Isle of Man and the Channel Islands are all getting on excellently. We just need to get the English on board—you are falling down—and we would be flying.

Mr Willie Clarke MLA:

Go raibh maith agat, Co-Chairman. I, too, would like to put on record my condemnation of the recent attacks in Antrim and Craigavon, and offer my condolences to the soldiers’ families and to the family of the PSNI officer. The institutions in the North faced serious pressures from the attacks, but out of the darkness came renewed hope, as well as a new confidence. A stronger relationship, particularly between the Democratic Unionist Party and Sinn Féin, came out of the tragedy, which must be recognised. Talking to members of the Unionist community, I found that they were reassured by Sinn Féin’s words. That was particularly true of people in working-class Loyalist areas. A number of meetings were held with the Ulster Defence Association to stabilise the Loyalist base and prevent retaliatory attacks. Leadership has been shown by all sides, and by everyone involved in the institutions in the North and by all the parties in the North. We have to build on that

and move on to the next level to bring better lifestyles for all our communities, particularly in working-class areas.

The main areas on which the British-Irish Council should concentrate are renewable energy and tourism. There is an economic downturn and there is an opportunity across the isles to make a holistic plan in relation to those two sectors. If we all pooled our efforts, we could become a global centre of excellence, and that is something on which we should focus. I am interested in hearing other people's views on that.

Mrs Margaret Conlon TD:

I, too, share the sentiments expressed in relation to the recent atrocities. There will be an opportunity this afternoon to say more about that.

The Tánaiste spoke about the importance of enterprise and creating new opportunities, but we must not forget, either, the huge importance of protecting existing jobs and ensuring that we minimise or stem the flow of job losses. I would be interested to hear what the Tánaiste says about measures taken by the Government in relation to that. I am sure that the view expressed by Senator Ellis about the need to encourage enterprise is shared by others. There has been a falling-off in consumer demand, and there is a credit crisis. Business leaders and entrepreneurs need reassurance: they need to see the steps and measures that the Government are taking to bolster industry and encourage enterprise, so I welcome the Tánaiste's comments this morning.

The Lord Maginnis of Drumglass:

May I tell the Tánaiste that it is a pleasure to be back in her constituency? I came here 48 years ago, and spent the first night of my honeymoon here, only to discover that there was discrimination against Protestant propagation: I was shown into a room with twin beds.

I was impressed by what Paul, Alex Attwood and others said about working

relationships, co-ordination and maturity. What Jim Wells said about a properly established secretariat could be helpful, but I am not terribly sure that the existing BIC secretariat has been able to influence what I call the gesture politics that is taking place at the moment and which is basically unhelpful. Gesture politics is based on ad hocery, and I shall give two brief examples. We have ad hocery in the development of cross-border autism services, which is of particular concern to me, as I have had the privilege of chairing a review of autism services for the Department of Health in the North, and I can give an example of an off-the-cuff, let's-have-a-cross-border gesture.

There is a convent in Middletown, and it appears to provide a great solution, to which a problem had to be found. The problem planted on Middletown — and I am sorry to put it like this — is one that almost institutionalises autism again, which is a huge mistake. We need huge co-operation on autism services north and south: there is such co-operation in the voluntary sectors north and south, and I am pleased to be part of that. I have spoken to Brian Lenihan about this, and I am going down on Wednesday to see Batt O'Keeffe, but the reality is that we have spent £7 million on a white elephant. Over £3.5 million has been spent, both in the North and in the South, and not a single solitary child with autism—in many ways, thank God—has been yanked up from the ring of Kerry, the Wicklow hills or the north Antrim coast and planted, as is planned, in Middletown for five weeks, only for their stay to be disrupted when they are sent back, to become dependent on local services delivered locally.

I hope that one of the developments that might emerge from the Assembly is that ad hocery ceases, and we begin to recognise, for example, that autism requires early identification, assessment, diagnosis, early intervention and local services delivered locally. We should expand autistic children's experiences — not condition them as if we were training a sheepdog. Conditioning is not a transferable skill. If people are willing to accept it, there will be some benefit north and south from a new look at autism.

I am obsessed with autism, if I dare use that term, but there is ad hocery, too, in Monaghan council saying that it is going to build bridges across the Blackwater. There is a seven-mile stretch of river with three bridges, and I should have thought that that was a reasonably good arrangement. We are now going to invent a new game in Ireland, pole-vaulting from bridge to bridge, because the idea of building bridges at Knockaginny and at Annaghroe, going through a protected area — Jim Wells will know about that — is absolute folly. The infrastructure is not there to accommodate two bridges — certainly that is the case on the northern side. If we could set aside that sort of ad hocery and have serious, constructive conversations about what is to be done through the BIC and through this Assembly, we would make much more headway. We cannot afford, in the present economic conditions, to waste money. If the Middletown plan continues, we will have spent £40 million by the time that it dives into the sand.

11.00 am

The Co-Chairman (Mr Niall Blaney TD): Thank you, Ken. There is certainly a lot of food for thought there. Terry Leyden is the next speaker.

Senator Terry Leyden: I want to compliment both Co-Chairmen, Niall Blaney and Peter Hain, on their commitment to the Assembly, and the previous commitment that Peter Hain gave to Northern Ireland.

I am delighted to be here, like all our colleagues, and to return to Donegal, the Tánaiste's constituency, helping the tourism industry in County Donegal. Quite a number of people have discovered this wonderful county, and I know that they will come back. I compliment the secretariat on providing such good accommodation and selecting such a beautiful hotel. The staff here are courteous and have given us a great reception. It is a wonderfully organised conference.

Sometimes I think that the Assembly's work does not receive the recognition that it deserves. There is such goodwill between all the Members that there is no conflict

— we are all working together to benefit both the regions and the islands, and co-operation is central — so it is probably the case that the Assembly does not attract the type of coverage that it would otherwise receive.

I should like to tell the Tánaiste that she gave a good account of herself, both on the radio on the Marian Finucane show and in relation to her other commitments. Her idea of having people from Enterprise Ireland and IDA Ireland going into the banks to help them assess applications for assistance is an innovative one, and I compliment her on it. When she was Minister for Agriculture and Food, she created the concept of the “food island”, and that is now vital, given that food exports must be maintained during this difficult time.

Secretary of State Paul Murphy has done a tremendous job in all his roles and he has given enormous commitment to Ireland. It has been brought to my attention by small contractors that there is been quite significant VAT evasion on both sides of the island. For instance, I understand — this can be checked by officials, and by Tax and Customs — that people come to the North from the South and quote someone else’s VAT number. No check is done to ensure that VAT numbers are authentic. That distorts trade between the North and the South. All that I am seeking is a fair, level playing pitch. Our northern friends will know that 49% to 50% of all alcohol sold on the island of Ireland is sourced in Northern Ireland. Fair dos — they benefit from that, but as far as our jurisdiction is concerned, all that we want, and the Tánaiste will agree with me, is a level playing pitch.

The Co-Chairman (Mr Niall Blaney TD): I call on the Tánaiste to reply.

Ms Mary Coughlan TD: On the autism services that Ken raised, if I remember correctly, Dr Michael Woods was the Minister at the time. I am not familiar with the service, but the idea was to provide a centre of excellence. Obviously, that is not what has been achieved, but I will certainly speak to Batt before Ken comes down on Wednesday and see what can be done. In the context of health services, this is controversial, as we all know. A considerable amount of good work has been carried

out from a North-South perspective. We must look at taking the resources that we all have and how we can provide greater opportunities for people north and south. Belfast City Hospital has provided facilities for patients in Donegal, and likewise we have provided facilities in Letterkenny General, for example, for people from the Derry hinterland. That is the right thing to do, because resources are scarce, so the one thing that we do not want is a failure to utilise them.

The Lord Maginnis of Drumglass: So it is about saving money.

Ms Mary Coughlan TD: We must provide value for money. At the end of the day, we need to adopt a client or citizen-focused approach. I am not familiar with the service, but Ken is right that autism requires early intervention. Indeed, that is the key in relation to services for anyone with a disability.

I am going to leave Monaghan county council to fight its own battles. There are a couple of Members from the area here, and I shall leave it to them. I am cognisant, as a former member of a local authority, of the fact that people take umbrage at the Deputies making decisions on their behalf, and all the way up the line. May I tell Ken that I shall leave local politics to local Members, and I am sure that Margaret and Rory will sort it all out?

Renewable energy will create new opportunities, which is why the Energy Minister, Eamon Ryan, and I have set up a framework to develop that concept. He is very much driving it on the basis of trying to reduce costs and provide new opportunities for renewables. From a regional perspective, there is potential to create a centre or area of excellence. In my view, it should be in the north-west, because we have more wind — not hot air — and we are close to the sea, where new opportunities will be provided by wave energy. Expertise can be developed and, in addition, there are economic benefits for manufacturing, which is why Eamon and I are working towards a policy on innovative ways of providing opportunities. Renewables are therefore extremely important.

When we discuss, as Margaret said, trying to stem job losses, there is a huge issue for us in the Republic of Ireland — our competitiveness, which is such that we need to reduce costs. Reducing energy costs is hugely important, and it is something that I am driving hard with all my colleagues. From our perspective, we are about 30% more expensive than anywhere else in the European Union. We must end our dependence on fossil fuels, which is why we are looking at alternatives. At the same time, however, we must have genuine competition in the sector so that we can bring prices down — the situation is unsustainable.

Labour costs are a problem, and we are working on that at Government level. If we are not innovative, we will not get out of this, so driving competitiveness is a key part of the agenda for me as the Minister responsible and for the Government. Through that process we can create new opportunities and stem the losses experienced by many companies, which has put severe pressure on them. A common theme has emerged. We have to concentrate our minds as to how we get better value for money: we have to do more for less, and we must embrace new thinking.

Recessionary times can create great opportunities. In Galway, for example — and Noel will be familiar with this — when we lost Digital, everyone there thought that the world was going to come to an end. It did not, because people worked with universities to establish centres of excellence, as well as clusters and hubs, thus creating new opportunities. Not only did that attract foreign direct investment but it utilised the talent and the skills of those who were working in Digital, and people set up their own businesses. More people have registered with the Companies Registration Office this year than ever before. People who have skills and talent, with a little support from county enterprise boards, back-to-work allowances and enterprise schemes, have set up their own businesses and are using their own ideas and skills. That is important in a time of recession — we must do things for ourselves and create innovative ways of doing things.

As for VAT, there is a common trend — no one wants to pay any tax, and if the

energy that is used trying to work out such things were used in a different way it might be better. My colleague Mary Hanafin has talked about this — and I saw the Customs people, for example, on the news yesterday evening — and we have to be cognisant of circumstances. I do not want this to be seen as a protectionist idea, but you have your rules and laws, and we have ours. We have introduced them in our respective Assemblies to support and develop our economies and to use whatever tax take we have to do what we have to do. Breaking those rules and regulations is not acceptable. We have difficulties in the car trade, where there is competition — fair enough: we all have to deal with competition — but there are rules on vehicle registration tax, concerning who is entitled to buy a car and where, which people must abide by. If it goes the other way into Northern Ireland, people must abide by the rules in Northern Ireland. Any type of fraud or underhand practice that is outside normal competition is not acceptable. As we have always said in this part of the world, we have been beneficiaries from Northern Ireland, and we have also lost out to Northern Ireland. However, we always worked within the frameworks within which we had to work. If we have fair competition, that is fine, but if it is unfair, we have difficulties. That is something of which we are cognisant when it comes to things that are not necessarily kosher.

Rt Hon Paul Murphy MP: I am hugely interested in what Mary said about the way in which she and her fellow Ministers have dealt with these issues, which affect us all. The great theme for the Assembly, and for the BIC, is how we can learn from one another in the way in which we tackle problems arising from the recession. Mary was quite right to say that we should take the opportunity in a downturn to work for the upturn, which involves training and skills, and perhaps changing completely the local economy in some areas. The fact that we can listen to and take note of what is being done in Ireland — the schemes and the reactions to them — is of great interest to us in the United Kingdom.

The issue of how we can help each other in this emerged in the questions. The ProAct scheme in Wales, for example, was devised by the Welsh Assembly, and everyone is looking at it in the UK, including the devolved Administrations, as a way

of helping companies to survive the recession, especially those in the automotive component industry. People can be trained with European money so that they can keep their job in a particular firm. When the upturn comes, they will return to prosperity: they have not been made redundant, and they will still be working because of those schemes.

That is just one example — there are lots of others, too. The big challenge for Government is the delivery of those schemes. They can be announced — people can say, “Here’s the money. This is what needs to be done” — but the difficulty is the banks and others that lend money, as that is much harder than it sounds. Learning from one another is the key for the Assembly and for the BIC. I cannot help Arthur Morgan in particular on the north-west. My responsibilities as Secretary of State for Wales do not extend beyond the Irish Sea. However, I will mention that to Shaun Woodward. Willie Clarke referred to renewables, and I can tell him that in the BIC, Scotland is going to lead the work stream on renewables, which will be of huge interest to everyone. Finally, Ken, may I tell you that you should have come for your honeymoon to room 203 in the Solís Lough Eske hotel — the bed is so big that I cannot even see the clock at the end. You would have had a lovely time in there.

The Lord Maginnis of Drumglass: Twin beds or not, Paul, I would still rather sleep with Joy.

11.15 am

The Co-Chairman (Mr Niall Blaney TD): Moving swiftly along, in the interests of keeping to time and to our agenda, I propose to group the last six speakers together. They are Seymour Crawford, Stephen Rodan, Brian Adam, Dinny McGinley, Baroness Harris of Richmond and Lord Dubs.

Mr Seymour Crawford TD: I welcome the Tánaiste and the Secretary of State back to the Assembly, as we value each of them in their own right for the work that they have done. I add my voice, on behalf of Fine Gael, to those who condemned the

murders of the two soldiers and the PSNI member. That brought back a lot of difficult memories for all of us, but the difference is the quick action and the structures that were put in place to try to bring those who were responsible to justice. I hope that for all our sakes that that is done quickly and successfully, because it would have a major effect on the whole community if people went back to the type of things in which they were involved before. I also welcome the strong condemnation by the leaders of the main parties in the Assembly, which had an important settling effect on the whole community.

Turning to our debate today, I welcome the Secretary of State's commitment to work with the BIC and the Assembly. A stronger east-west link is one of the ideas in the Good Friday and St Andrews Agreements, as is the expectation that the organisations work collaboratively. I apologise for my husky voice.

Ms Mary Coughlan TD: Were you singing last night, Seymour?

Mr Seymour Crawford TD: No, but I am going to start doing so now.

I was interested in the Tánaiste's comment about the problem with sterling. I, too, think that there is a major problem with VAT and the fact that there is a 6.5% differential. Is there any way in which that can be bridged? It has had a significant effect on business structures. I was glad to hear the Tánaiste discuss labour costs, which are a problem. We have all seen the competitiveness of the Irish economy going down the slopes over the past few years. It is good to hear that that has been recognised and, hopefully, something will be done about it. We have lost many manufacturing jobs in Monaghan, so it is important that the situation improves.

I was glad, too, to hear the Tánaiste say that strategic infrastructure is critical. Having driven from Enniskillen to Donegal, I certainly noticed a difference in the roads. I hope that some day, that problem will be dealt with. Can the Tánaiste give us a commitment that a dual carriageway will be built between Derry city and Donegal, and then via Monaghan to Dublin? That would be much more important

than the two bridges that were discussed earlier. Finally, I commend everyone involved in Donegal and Derry on setting up the structures, which have been of great benefit. Perhaps the Tánaiste can give us some suggestions as to how we can do the same in Cavan, Monaghan, Fermanagh, Armagh and such areas.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Seymour. I call Stephen Rodan.

Hon Stephen Charles Rodan MHK: Thank you, Co-Chairman. I am interested in the Minister's views on the proposed changes and reforms to the common travel area (CTA) between the UK and Ireland, particularly the implications of ending the CTA as a passport-free zone. The legislation before the House of Lords — the Borders, Citizenship and Immigration Bill — certainly intends to subject travel between different parts of the CTA to immigration control. From 2014, people travelling between Ireland and mainland UK will be required to produce travel documents. The implications for the Crown dependencies are of concern, as the changes to the Immigration Act 1971 may require the production for the first time of travel documents for travel between the Crown dependencies and England. We have been told that there is no such policy intention: there will be no fixed controls, but occasional ad hoc immigration checks based on risk-based intelligence enforcement, which is precisely what is intended for the land border in Ireland between North and South.

Have the Ministers considered that in depth, and do they share the concerns of the Northern Ireland Human Rights Commission about ad hoc immigration checks on vehicles, and the issue of whether there will be transparent criteria for intelligence-led monitoring? The commission has expressed specific concern about the risk of racial discrimination in mobile controls on the land border to establish whether or not individuals are citizens of the common travel area.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Stephen. The next question is from Brian Adam, followed by Dinny McGinley, Baroness Harris and Robert Walter.

Mr Brian Adam MSP: Attention has rightly focused on the security situation as well as the economic situation. To what extent could the proposed budget cuts to the devolved Administrations undermine, rather than underpin, the work of those important bodies, particularly their capacity to deliver the various work streams that we have discussed both on this occasion and on previous occasions? There is a significant danger that we will undermine the confidence of the people in the areas covered by the devolved Administrations if those budgets are not allowed to recognise the differences with Whitehall Departments, for example.

Mr Dinny McGinley TD: First, I should like to endorse the words of the Tánaiste in welcoming you all to Donegal, particularly those who have not been here before. I welcome you to this constituency in this part of Donegal, which the Tánaiste and I have had the honour of representing for many years. Secretary of State Paul Murphy and others have expressed concern about the weather, but as far as I am concerned, they are more than welcome to stay here until the weather improves and they come to enjoy the magnificence of this part of the county. On the other hand, I wish the Tánaiste Godspeed to Dublin, and I hope that she stays there as long as she can, giving me a free hand to look after the interests of this constituency and its people.

Seymour Crawford, as usual, has stolen some of my lines, but Members who have come to Donegal for our meeting know the importance of Northern Ireland to Donegal, especially the question of access. First, in the wake of the Good Friday Agreement, I understand that a number of joint ventures were envisaged and planned to improve access to the North — that applies North and South, and given what Jim Wells said, east and west. I am referring to the roads from Dublin to Donegal — the M1 and the A5 — and then, west-east, from Derry to Belfast. What is the position regarding the plans? What progress has been made, and is the investment promised at the time available to improve access? Secondly — and I know that Andrew Mackinlay is interested in the issue, as he has mentioned it — what is the situation regarding a rail link between Belfast and Derry, and into Donegal, as that would be of great help in improving access, so perhaps the Tánaiste or the Secretary of State would comment on that.

The Baroness Harris of Richmond: Stephen Rodan made the point very graphically about the Borders, Citizenship and Immigration Bill, which is going through the House of Lords. In fact, an amendment has been tabled for Wednesday to omit a proposed clause and make it clear that there will not be immigration controls on the borders. We hope that that amendment will be accepted by the House. I should like to know what the Tánaiste thinks about people having to carry passports anyway if there is a possibility that they might be required, as that makes a mockery of the right to travel freely across borders.

11.30 am

The Co-Chairman (Mr Niall Blaney TD): Last but not least, I call Robert Walter.

Mr Robert Walter MP: Thank you, Co-Chairman. Our discussion this morning has emphasised the need for a ministerial dimension to our proceedings. I should like to offer a few thoughts and look at examples of similar bodies in Europe.

There is PABSEC — the Parliamentary Assembly of the Organisation of the Black Sea Economic Co-operation — and the Euro-Mediterranean Parliamentary Assembly, both of which are slightly younger organisations. Some of the older organisations, however, are worth looking at, including the Benelux Parliament and the Nordic Council, in which parliamentarians and Ministers meet in plenary sessions — there is a ministerial bench within the Assembly — and there is an opportunity for Ministers to make public what is happening in ministerial meetings, as well as participate in the Assembly's debates. A mechanism whereby meetings of the British-Irish Council and our Assembly occurred at the same time in the same place would give an added dimension to the ministerial meetings and, in fact, give them some publicity, because at the moment they receive zero publicity. It would enhance, too, our penetration of the media and of public opinion, because people would begin to see the relevance of having a parliamentary Assembly and a ministerial body, one calling the other to account.

The Co-Chairman (Mr Niall Blaney TD): Andrew Mackinlay wishes to speak, so I will give him 30 seconds.

Mr Andrew Mackinlay MP: I wish to intervene, because yesterday, coming through George Best airport at approximately 12.30 pm, there was a demand to see identification and/or passports, not from the airline operators but from the UK Border Agency. I inquired into that, and challenged it, particularly as one of the officials was not wearing any credentials whatsoever — no warrant card; nothing. If we let such examples go by in silence, we will be on a slippery slope: an overbearing agency with no authority whatsoever will introduce border controls within one jurisdiction — it is not even between the United Kingdom and the Republic of Ireland or the Isle of Man. We used to mock the Soviet Union for having internal passports, but that is happening in the UK at George Best airport, after people get off the plane from Heathrow. A sloppy branch of the UK Border Agency does not display credentials on the officials who demand that travellers produce passports or ID. I am pleased to have the opportunity to air that in public, because it is intolerable, and, unless or until Parliament or the Parliaments get on top of it and see to it that there are proper, agreed ground rules, the position is unacceptable.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Andrew. Before handing over to the two speakers to wrap up, may I remind Members that a group photograph will be taken on the steps at the conference centre as soon as we conclude?

Rt Hon Paul Murphy MP: I will certainly take back the point that a number of speakers have made with regard to the common travel area. The Borders, Citizenship and Immigration Bill will be debated by the House of Lords next week, and there will be much discussion of the issue. One has to strike a balance, as we must ensure that we try to catch the people we ought to catch, whether they are al-Qaeda terrorists or drug dealers, but we must consider the question of how we deal with that and the sensitive issues involved. I am sure that Andrew Mackinlay will take up the issue with Home Office Ministers, but I accept the point he made, and I will take it back.

Brian Adam made a point about budget issues. There are two Budgets before us — the Budget in Ireland next week, and the Budget on 22 April in the United Kingdom. Times are tough, and there is no question but that we must tighten our belts; that applies to every Administration, not just the two sovereign Governments. On the specific issue affecting the devolved Administrations in the United Kingdom, the First Ministers met the Prime Minister some weeks ago, and a week or two ago, there was a quadrilateral meeting of Finance Ministers in Edinburgh, and the issues are still being discussed. I do not think that there is anything new to add, except to tell Dinny McGinley that I agree about the roads to Donegal — it took me a long time yesterday to travel here from Belfast International airport. I should be delighted to stay here longer if I did not have to go back later.

Ms Mary Coughlan TD: The Nordic Council is a strong council, as Robert Walter knows. It has taken a considerable time for such bodies to mature and change, as is the case, too, for relationships between us as Ministers. There is therefore an evolving opportunity. Logistics are an issue, because people have to travel a great deal, but the philosophy is not a bad one, as it provides better interaction. I am a Minister, as is the Secretary of State, and we are all busy with our portfolios. It is not necessarily out of disrespect, but unless something is marked in our diary, we do not always achieve the interaction that is required. Certainly, however, the proposal is well worth considering.

Fine Gael representatives would like to know what is in the Budget — sorry, lads,

you will have to wait. As Minister for Enterprise, may I say that two things are important regarding infrastructure? First, there are things that will have a direct impact on enterprise now, and, secondly, there are things that we would like to do, but for which we do not have the money. That is difficult, but we are cognisant of the problem. As a border Deputy and a Minister representing the north-west, I wholly support, and have done so for many years — as all of us have done in this county—access from Dublin through Northern Ireland into Letterkenny to Derry. I am glad that those few lonely voices had the discomfort of travelling from Enniskillen to Ballyshannon, because it is my fervent view that the next strategic project for the north-west should continue the work that began in Ballyshannon down as far as Enniskillen and into Cavan. That access would complement the access from Sligo. Many years ago, Rory O’Hanlon and I met to look at an east-west link as well, across to Sligo from County Louth. I certainly wish to pursue those strategies, but I am glad that delegates’ discomfort means that we have concentrated minds on that issue.

I do not want to go into the issue of what is happening in the UK on the common travel area. However, from an Irish perspective as Minister for Agriculture, I could tell you every cow, calf, sheep, pig and horse in the Republic of Ireland. We cannot say at all what people live here — we have absolutely no idea. All sorts of identifiers are required to verify an individual’s entitlements, but we do not know who lives in this country, which causes huge problems for us, and I accept that perhaps a risk-based assessment should be considered. I agree, too, that the situation is discommoding for someone who believes that they should be able to travel from one place to another, and it would be particularly peculiar between ourselves and Northern Ireland if people had to produce travel documents, as that would remind them of what happened many years ago when they could not cross the border, for example, after 10.00 pm. They had to produce x number of documents, and if those documents were not properly signed, they had to stay where they were. We therefore have to strike a balance. Immigration can cause quite an emotional debate, and emotions do not necessarily represent the reality. However, I am interested in the outcome of the deliberations in the House of Lords, and in the thought processes that take place.

We have had a hugely important opportunity to talk and listen to people discuss what is important to them. I will ask about that scheme and steal it — if it is any good, I will take it — as we are in uncharted economic waters. We all face huge difficulties and challenges in trying to find the right solutions. The old solutions will not fit, because when we emerge from this recessionary process, the world economy will be completely different. We must refocus and develop new ideas: we must take the best of the old, and look at the new and how that can be implanted when we consider what is best for us, our people and the people we represent.

Finally, may I tell people who have not been here before that they are most welcome, and I hope that you enjoy your sojourn in Donegal? I am sorry that Ken Maginnis has left the room, because if he was here 48 years ago, he must have known somebody I did not know, as only the elite were allowed to come to this house at the time. However, the Solís Lough Eske hotel is a beautiful new development, which complements Harvey's Point hotel. Unfortunately, I cannot join you this evening, but I am grateful for the invitation. Delegates are all welcome to return to Donegal — Dinny and I would agree — and I hope that you will have an enjoyable experience, as well as making progress, in your work.

I see that Mike Burns is in the room, and I believe that he is about to retire. He came to meetings of the Body when I started out, and I wish him well in his retirement. He is one of those guys whom everybody knows and loves, and I thank him publicly for his work, and I hope he enjoys his retirement. To my colleagues, may I say that we are delighted that you are here? I am not sure that we have ever had a Secretary of State for Wales in Donegal, although we have certainly had Secretaries of State for Northern Ireland. Perhaps this will lead to further relationships, but not rugby. I thank the Co-Chairmen, and I hope that this session has been beneficial — it certainly has been for me.

The Co-Chairman (Mr Niall Blaney TD): I thank both speakers very much. Delegates will agree that we have had excellent session. May I ask my Co-Chairman, Peter Hain,

to wind up?

The Co-Chairman (Rt Hon Peter Hain MP): May I thank Mary on your behalf, Niall? We are lucky to have her here, as she attended an all-day Cabinet meeting yesterday on the Budget, and she is flying back when that Cabinet reconvenes. We are extremely grateful that she has seen fit to give her important time to the Assembly. The last time we met was in Mullaghmore at Rally Ireland. I was wearing a Rally Ireland racing suit, as I was the co-driver for Billy Coleman. We went around trying to pretend to be rally drivers — he was, but I was not. I noticed, Mary, that you called me “ferociously sexy”: I have been waiting for that compliment from you for years. A little later that day, Billy and I ran out of petrol in the middle of Tyrone. My armed protection officers were a helicopter ride-away — about an hour — and they were pulling their hair out, as they had lost a Secretary of State in the middle of bandit country. Fortunately, I was lifted out safely, and I left Billy on his own.

Paul, may I thank you very much, too? You were extremely diplomatic to the Irish rugby team on its lucky win in Cardiff at the Millennium stadium. All of us Welsh fans — and this was expressed by the President, Paul will remember, at the official lunch beforehand — thought that if Wales was not going to win, we certainly wanted Ireland to do so, and it was a fantastic achievement.

I should like to sum up the important points that Paul Murphy made about the relationship between the BIC and the Assembly, which Mary endorsed, and put it on the record, as it expressed where all of us want to go. Paul described the Assembly as the parliamentary wing of the BIC under strand 3, and we could all endorse that. Six proposals have emerged from this session. First, it would be a good idea if all our meetings were addressed by the appropriate BIC Minister — we could endorse that. Secondly, our Committee reports should go to the BIC for consideration, and we could work in parallel on common themes in policy subjects. Thirdly, Paul and Mary will take back the request expressed by Niall on our behalf for observer status at BIC meetings, and the tone of Paul’s comments was very welcome. Let us hope that we can achieve that. Fourthly, BIC communiqués should be debated in the Assembly,

which is sensible. The fifth proposal, which was endorsed by Jim Wells, was that our secretariat should have a relationship with the full-time secretariat. Finally, our officials — Alda Barry and Eoin Faherty — should work with BIC officials on a draft protocol, which could be submitted, first, to the BIC in the autumn in Jersey, and, a few weeks later, to our Assembly. That would provide us with a good way forward, and Niall and I propose to give a press briefing immediately after this morning's sitting about how we see things going.

May I thank Mary and Paul again, on everyone's behalf, for coming here today? The ways in which the two Ministers responded and dealt with questions and their succinct opening speeches were models of the way to relate to the Assembly. I thank you once again, as we very much appreciate your presence. *[Applause.]*

The Co-Chairman (Mr Niall Blaney TD): We will now go outside for the group photograph. We will return in 10 to 15 minutes — 12.00 noon at the latest.

The sitting was suspended at 11.45 am.

The sitting was resumed at 11.56 am.

THIRTEENTH ANNUAL REPORT

The Co-Chairman (Rt Hon Peter Hain MP): I beg to move

That the Assembly takes note of the Thirteenth Annual Report [Document No 142].

May I thank the Clerks and everyone responsible for drawing up the report, which accurately records the work that we have done over the past year? It is quite impressive, and having moved the motion formally, I ask for delegates' acceptance and agreement.

Rt Hon The Lord Dubs: The report is helpful, and shows all the work that we have done. May I raise one issue that picks up a point made earlier by Michael Mates? I asked a question in Parliament about how many of our reports have been received by the British Government in the past five years and to how many they had responded. The answer, briefly, was that they had received 14 reports from us, and that they had responded to two in writing. That is quite unacceptable. Other Governments and Assemblies are better at responding — certainly the Irish Government are — but the British Government are bad at doing so. It is not acceptable that they should ignore our reports. People will lose heart, so what is the point of doing it? I am delighted that yesterday the Steering Committee agreed that we would be much more diligent in pursuing that with Governments, and we urge Members in their own Parliaments and Assemblies to pursue reports directed at their Administration. Otherwise, we will waste our time, and Governments should not be allowed to get away with being sloppy. The Steering Committee will pursue the issue. All that we need do in the interval after a report is produced is table a question in our respective Parliament or Assembly, and ask whether the relevant Government have responded and, if not, why not.

The Co-Chairman (Rt Hon Peter Hain MP): I very much endorse the point that Lord Dubs has made. We will table parliamentary questions to our Government so that there will be a certain amount of gentle harassment, if I can put it that way, to obtain a proper response to the representations that we have made.

12.00 noon

The Baroness Ó Catháin OBE: I support Lord Dubs and the Co-Chairman in that proposal. It costs all our Assemblies and Governments money to send us here and support us in our work, but they almost ignore our reports. When one tracks back and realises how much energy, time, emotion and sheer hard work are involved in improving relationships between all the Members of the Assembly, it is crazy that we should be ignored. I think that we can put a lot of moral pressure on them, too.

Question put and agreed to.

Resolved:

That the Assembly takes note of the Thirteenth Annual Report [Document No 142].

The Co-Chairman (Mr Niall Blaney TD): Before we break for lunch, I remind Members that the Committees are meeting as follows: Committee A, room 1; Committee B, room 2; Committees C and D, the conference hall.

The sitting was suspended at 12.02 pm.

The sitting was resumed at 2.30 pm.

CONSULTATIVE GROUP ON THE PAST

The Co-Chairman (Niall Blaney TD): I welcome back to the Assembly the Lord Robin Eames and Mr Denis Bradley, Co-Chairmen of the Consultative Group on the Past. They are here to discuss the work of the consultative group and the scope and detail of its report.

The Consultative Group on the Past was established by my Co-Chairman, Peter Hain, while he was Secretary of State for Northern Ireland. It was tasked with consulting people across the community on how Northern Ireland's society can best approach the legacy of the events of the past 40 years and to make recommendations on any steps that might need to be taken to support the development in Northern Ireland of a shared future that is not overshadowed by the past. I ask my colleague, Peter Hain, to chair this discussion.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you very much, Niall, and welcome to this afternoon's session. I welcome in particular Robin Eames and Denis Bradley.

I see the purpose of this afternoon as being an opportunity to explore how we should proceed from this excellent report. I do not want to focus on a proposal which has been taken off the table by all concerned, namely, the £12,000 payment system. There is no point in going over that ground because effectively it no longer exists. We should focus instead on the remaining 30-odd proposals, many of which are of substance and have enormous implications.

When I asked Robin and Denis to undertake this task, it was from a feeling that the past kept bubbling up from underneath the surface in Northern Ireland. An attempt was needed, however difficult and in a sense impossible it may have been, to discuss and grapple with it.

I would not like this afternoon's discussions to focus entirely on one proposal which does not now exist and would prefer us to collaboratively and co-operatively think about how we can play a part, along with the two leaders of this taskforce, in bringing progress. It is in this spirit that I take great pleasure in inviting Lord Robin Eames and Denis to address us, following which we will be able to put questions and hold a dialogue. You are very welcome, Robin.

The Lord Eames (Co-Chairman of the Consultative Group on the Past): Messrs Co-Chairmen, ladies and gentlemen, this is probably the last time that you will find the two of us together making a presentation on this report. We were with you in Newcastle not so very long ago, when we had an opportunity to share with you the way our thinking was developing. The report has since been published, and today we have the opportunity to come again before you to try to place into perspective what we have done for the past 18 months and to invite a dialogue with you.

If I may, I will briefly place the background of this report before you. Denis will

then address the question of where we go from here, depending on the reaction to the proposals in our report.

Ladies and gentlemen, after 18 months of extensive consultations, several months ago we presented our report with more than 30 recommendations. Those recommendations came not out of thin air but from what we were told in our consultations during a period of listening, questioning and debating right across Northern Ireland's society.

I recall clearly when Peter very kindly gave us this poisoned chalice. I said to him the other day, and perhaps he will forgive me for repeating it in public, that I will take two memories of this work to the grave. I will remember, first, his very generous and charitable request and, second, the fact that he now presides over our last public appearance together. I am not sure, Mr Co-Chairman, which I will savour the most, but perhaps Denis will be more obvious and even charitable in his remarks.

You honoured us by asking us to take on a task which many people said was impossible. They said we faced an impossible task because of the rawness, the hurt, the divisions and sectarianism and, above all else, the memories of the past 40 years. There were those who advised us that it was too soon to attempt this task. Some felt the task should be left aside and that the past should take care of itself. Their words were: "Leave well alone; we are making progress so do not unravel or bring to the surface again the rawness that we all knew was there." Some had high hopes that we would find a way of dealing with the past that would produce the proverbial line in the sand. Others questioned whether a group set up by a British Secretary of State had the necessary credibility to produce recommendations with integrity for a divided society.

When we began our work, we were overwhelmed by the number of groups, individuals and representatives who wished to speak to us. These parties ranged from victims to victims' groups and included political parties, churches and groups already achieving much in our society through their approach to remembering. We

met victims from the paramilitary sector and we listened to the opinions of the security services. We also met government agencies, retired security forces personnel, academics and private individuals. Before you today, therefore, we can say with some justification that the report we have presented has been the result of extensive consultation and openness and, I hope, an integrity which will bear scrutiny.

We held public meetings, received written submissions and travelled through Northern Ireland, the Republic and Great Britain. Ladies and gentlemen, the report that you now have is based on consultation. We have endeavoured to reflect the main points that people put to us. While those views were, as you would expect, varied and at times contradictory, they were always passionate. We listened to the agonies of human tragedy and were moved by the stories of individual victims and the heartache of those who continue to carry on their minds and bodies, probably for the rest of their lives, the scars of what we went through.

We heard calls for justice which typify the community today and tried to ask what was meant by justice. Some wanted retribution for the loss of loved ones, successful prosecutions in the courts and a tribunal or inquiry that would unravel what they did not yet know. Others wanted to know no more than what actually happened to a loved one. They called for justice in terms which they themselves recognised had no answer. We met with the entire ambit of human feelings and, believe me, we felt emotionally drained by that experience.

We also studied how other nations dealt with post-conflict situations, with a particular focus on South Africa.

What you have in our report is a consequence of all that experience. What you have is by no means the most perfect report ever written in a post-conflict situation but we submit that it is an honest attempt to ask the questions that we believe Northern Ireland's society even now needs to address, to produce a blueprint by which society could respond to those questions and, above all, to challenge

politicians, victims' groups, the churches, educators, the media and the ordinary people of the North. The past is never going to go away. The ghosts of that past will continue to haunt this generation and the next, feeding on sectarian attitudes, unless a way is found to proceed with real respect for the past sacrifices and trauma of the entire community.

The one consensus that appeared repeatedly, even from those who admitted they had no clear programme or plan to proceed, was to ask that these events never happen again. That resolve is even clearer today than when our report was written and presented. Our report examined a time when the united condemnation of murder or violence did not exist. It was a time when our society was deeply divided and suspicious, when terrorism stalked our society and when any suggestion of shared responsibility in government, such as we have today, was impossible.

Then came the ceasefires and the Belfast or Good Friday Agreement, and the course of history of changed. The more recent public reaction to the murders in Craigavon and Antrim demonstrates, in the context of our report, that society has moved one step further.

Future generations will study the conflict in Northern Ireland and will read about fear and uncertainty and divisions and murder but also about the great bravery and courage of those who kept the light of hope alive. When we entered our consultations, we were amazed by the amount of good work that is already being done in, through and with victims' groups by those who have the courage to say "let us listen to their story but let us give them a realistic hope." This idea of realistic hope confronted us day in and day out because a lot of people had unrealistic hopes for what could be achieved in their native land.

Future generations will also read about victims, innocent people who carried scars on minds and bodies for the rest of their lives. We met those victims across our community, whether Unionist, Nationalist or Republican and Protestant or Catholic. Had you been with us, I suggest you would not have been unmoved by the stories

we heard.

However, future generations will also read about the bravery of those who sought to protect our society from terrorism and paid a huge price for doing so. Among the ordinary ranks of what was then the Royal Ulster Constabulary, the Ulster Defence Regiment and later the PSNI and the Royal Irish Regiment, many men and women who faced murder at their work and returned from duty to live with their families in situations where they were continually at risk still carry the physical and mental scars of those days. Many of these asked us whether society really appreciated their sacrifice. This is just one more part of the jigsaw of the victims' arena we have encountered.

To be personal, ladies and gentlemen, I have stood beside too many graves of those murdered during that period to forget them. These people were also in the pages of our report.

What have we proposed? A massive section of our report sets out a framework whereby the calls for justice and the pleas for truth, and often both, can be addressed. We have heard those pleas and we say they are right. We have proposed the best means we can devise to deliver justice and truth so that society can move on. It is our best attempt at providing a level playing field for all and an alternative to public inquiries and the justice system. These are the only tools currently available in this society, but we are suggesting that, out of the post-conflict situation, much better is needed. We have proposed a legacy commission with a five year mandate, although in fact it will probably last seven years, including the two years needed for its establishment. Through a process of reconciliation, justice and information recovery, we hope to promote peace and stability in the Northern Ireland of the future.

2.45 pm

If implemented, the legacy commission would answer the calls for justice. It would continue the work of the Historical Enquiries Team and the Police Ombudsman for Northern Ireland. It would bring cases to prosecution where a realistic possibility arises for doing so. We have always said that we would be honest about prosecutions, and we make no apology for doing so. We do not believe that it would do anyone a service to maintain the fallacy that wholesale prosecutions will be taken on cases dating back ten, 20 or 30 years. We think that the chances of huge numbers of prosecutions from the work of the legacy commission are decreasing, but we have heard the calls from society for justice and have kept open the potential for that. We know that this is all that some people in the North have. They should not be deprived of this opportunity, and that is why we have stopped short of recommending an amnesty.

The legacy commission would, through processes designed to secure the maximum amount of information, answer the calls we have heard from many others who simply want to know more about the deaths of their loved ones. This is a very human need, and we as a society must do all within our power to ensure it is met. We all must step up to the mark to give people the decency of honest answers, because this is the only dignity we can, in honesty, offer them. Here again, Denis and I appeal to the IRA to take this opportunity to step up to the mark and would do likewise to the Loyalist paramilitaries. We link that plea once more with a call for the increase of attention and devotion to the process of Loyalist paramilitary decommissioning.

The commission would also examine wider themes arising from the conflict which are of concern to people. In our consultation, we heard allegation and counter-allegation about the nature and causes of the conflict. One's interpretation of history and the causes depends upon the community from which one comes. For the sake of future generations, we must look at the mistakes we have made in order to learn from them and move on. Surely, we owe this to our children.

Each of these strands of the proposed commission's work will, along with the

work of the reconciliation forum and our other recommendations, go some way to meet the many and varied needs that were brought to us in our consultations. We know that one size does not fit all and are not imposing such an approach. However, we are recommending a one-stop approach comprising one package and framework into which people can opt when they feel that it is right for them to do so. This package will offer many different options for individuals and communities. We know that our package of proposals is imperfect and incomplete, but at this distance and in these circumstances, it is probably the best we can offer.

As I hope you have read in detail the proposals that we set out in our report, I do not want to waste your time rehearsing them this afternoon.

It took us 18 months to complete our research and present our report. In that period, the group — which came from every part of the community and represented all the political views and religious stances of that community — travelled a very long way. Perhaps the presumption that we are most guilty of wrongly making is to assume that society could equally make that journey in 18 months.

We stayed together, argued each other's position, examined each other's political outlook and approach, and, in the end, the report represents the result of our work. There are many points that you can pick holes in, and there are many things that, to use the Ulster proverbial phrase, you could drive a horse and cart through. However, in presenting our findings at such a meeting, possibly for the last time, I believe that we have been honest and that we have a degree of integrity. I urge the Assembly, which has tremendous influence in both our nations, to please take our suggestions seriously — even the parts that you disagree with. Take it as an attempt to defy those who told us 18 months ago that we faced an impossible task.

Thank you for your patience.

The Co-Chairman (Rt Hon Peter Hain MP): Lord Eames, thank you very much for that powerful opening. We will hand over now to your partner in crime, if I may put

it that way, Denis Bradley.

Mr Denis Bradley (Co-Chairman of the Consultative Group on the Past): Thank you, Chairman.

One of the best clichés in the political mantra is probably to campaign in poetry and govern in prose. I want to cover a little of the prose. If the report into the past is not implemented, what will happen and what will the residue be?

The Historic Enquiries Team, coupled with the Police Ombudsman for Northern Ireland, is tasked with examining the past on an ongoing basis. The Historic Enquiries Team in particular is examining each murder and event that happened. We priced the work of both bodies as costing £100 million over a five-year period.

If our report is not implemented, and the Historic Enquiries Team is not relieved of the burden of examining each folder it opens on the basis and procedures of normal policing standards, then in our estimation, the HET could be working in the North of Ireland for the next 15 years. Coupled with that, we believe that the landscape is that 200-300 PSNI officers will spend all of their time dealing with legacy cases. We estimate that that will cost in the region of another £100 million.

The second issue in the landscape of the prose is that there may be an increase in the arguments already entering the public domain, about the 'Ulsterisation' of the problem.

We had an example of that in the past couple of months, and revisited in the past week, in the 'Panorama' programme about the Omagh bombing. The security services in Northern Ireland, especially the retired security services, are not particularly pleased that they detect a withdrawal of responsibility by the security services from Great Britain. The 'Panorama' programme on the Omagh bombing did not come out of nowhere. There is a feeling among ex-RUC officers and ex-UDR people that too much of the blame is being put on their shoulders, and not enough

of the responsibility is being placed on those whom they believe to have been the political masters during the 30 to 40 years of our Troubles.

The landscape will also include the ongoing embarrassment of what these two countries do about the Omagh bombing and about the requests from those who have been bereaved for an all-Ireland public inquiry. It is our estimation that there is little to no chance of that inquiry ever taking place. There is no mechanism in that landscape outside our report that in any way addresses with any integrity and realism what can be done for the bereaved of Omagh.

Of course, the most iconic case will be the Finucane inquiry, which was recommended in the Weston Park agreement. It is our estimation that no such inquiry will ever take place. In the absence of that inquiry, it is our judgement that nationalism and republicanism will find creative methods to test that issue in the courts, in the criminal courts and in the coroners' courts — and, when that gets no response, in the civil courts. It is also our judgement that that issue will remain alive and divisive for the next 10 to 15 to 20 years.

The Northern Ireland Assembly has appointed four victims' commissioners. Again, it is our estimation that that very worthy and necessary group will find its work very difficult and restricted, because there is no definition of a victim. A definition was established by the British Government under direct rule, but there is no agreement in the Assembly or the Executive on the definition of a victim. Laid out in the parameters of the victims' commissioners is an overarching body of victims, which should steer and guide the victims' commissioners in their strategic work. It will be very difficult to establish a victims' forum when there is no definition of a victim.

In addition, it will be very difficult in the present structures to find a mechanism to address the more difficult and complex areas surrounding trauma, suicide and addictions — all legacies from our troubled past. At present, no mechanism exists to address how better to co-ordinate, guide and implement services and provisions for

those difficult and complex areas.

Of course, in their prose, Government do not throw out reports. Governments do not fully reject reports; they cherry-pick them. Let us cherry-pick the report from the Consultative Group on the Past. The biggest cherry to be picked is the co-ordination and integration of the tasks on how to deal with the past that are given to the Police Ombudsman and the Historical Enquires Team. That would be an easy cherry to pick. The immediate difficulty encountered is under whom, or which office, that responsibility is placed.

3.00 pm

It is clear that the Historical Enquiries Team would benefit from being free from policing and from being independent, with some clear blue water between it and the police. The Historical Enquiries team has already agreed to that proposition. The Chief Constable believes that that would be the best way forward. Placement is the difficulty; there is no current mechanism to allow for such independence.

Answers to most of my questions are in our report. At a time of recession, it is important and pertinent to highlight the cost factor. We have priced what we propose at £300 million. We have taken a very rough stab by saying that failure to spend £300 million on the report's recommendations — allowing what is happening to continue indefinitely — will cost at least £1 billion.

The fact that the Troubles have not gone away and that there have been three very unfortunate and unnecessary deaths in the North of Ireland in the past few weeks, gives rise to another pertinent question — is the past the past, or is it very much the present? To allow the cause of dissident republicans any air by letting them believe that we have been thrown off the road of progress that has been achieved up to now would, in our opinion, be an act of political irresponsibility. We must put the past to bed. We must allow people to move on, and we must not allow those who disagree with doing so any oxygen that allows them to think that they will

resurrect our past and continue to kill people.

Finally, I do not wish to dwell on that, but I wish to say the following to this august gathering. I have not mentioned this in public before, but I want to do so now. Not only unionists disagreed with our recommendation about the victim's recognition payment. By the way, I do not agree with our chairman that the recommendation is off the table forever. I believe that the Secretary of State said that it was off the table for the moment, with which we have little difficulty.

Apart from unionism, Sinn Féin disagreed with the recommendation in a particular way by saying that it was too contentious and controversial. That objection really got to me.

I found it outlandish, when I turned on the television one night and discovered from a programme on RTÉ, that a Cabinet Minister in the Irish Government did not know that the Irish Government had made a recognition payment to more than 300 people who had been killed in the Troubles. It would be sinful to allow a recognition payment in this county, County Donegal, and not allow a recognition payment five miles up the road.

The issue cannot be dealt with in a piecemeal manner with those types of separations. Britain and Ireland have been in conflict for too long. You are part of the healing process. We think that our report adds to that healing process, and it is best and better to carry it out and to do it soon.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you very much, Denis. We are grateful for that powerful address to start us off.

The Lord Bew: I thank you both very much for the clarity of your exposition, for the way that you set out the case and for the integrity that you have brought to this exceptionally difficult process. I wish to raise points that are solely to do with the legacy commission.

Denis, when you spoke to a Dáil Committee, you said that it would be a disgrace if the IRA were not to co-operate in some way. You also acknowledged that it is more likely and easier to get co-operation from the state. What if the IRA were to decide to endure that disgrace? Historically, it has endured a number of disgraces. What would the fallback be if that were to be the case?

You are aware of the debate that you have been carrying on with Peter Smith, the distinguished QC and good friend of you and me who was on the Patten Commission, on the issue of legal counsel. The attraction of many of your proposals is that they seek to remove lawyers from the process, but would that be possible in a process that had powers to compel the production of documents, which, as you said, could conceivably lead to prosecution? Is it conceivable that the people who work for the state would not have the right to legal counsel in such a situation, and would that affect issues of cost? Would that create a human-rights issue?

When you gave an equally excellent presentation in the House of Lords, that issue came up. Anyone who is familiar with the archives of the Troubles or the documents that one can read at the National Archives at Kew and other places will know that the issue is not simply to do with the role of the Irish state. In your presentation at the Titanic Quarter in Belfast, you referred to the perception that exists among border Protestants that questions are to be asked about the role of the Irish state during the Troubles. In the House of Lords, you acknowledged that that was an issue. What was the reaction in Dublin to looking at that question? Undoubtedly, people will say that, for balance, that is part of the story.

You talked about the emergence of dissident violence. As was reflected in the speech that the Cardinal made last week, some people have a problem with retrospective legitimisation. You have said that people can construct stories. For instance, I could construct excellent stories from an Irish nationalist point of view to underpin the Provisionals' campaign. It is also possible to construct a nationalist story to underpin the current campaign. Can we really say that those are matters of subjectivity and that we cannot afford to make a distinction that says that

equivalence cannot be made between the forces of the state of a democratically elected Government, either in Dublin or in the United Kingdom, and the forces of paramilitary bodies?

Mr Alex Attwood MLA: I thank the Co-Chairman, Lord Eames and Denis. I do not know if it is the view of many people that what Eames and Bradley were trying to do was probably the last best hope for our generation to deal with the past on a full and ethical basis. My perspective was that, regardless of the questions about how this project commenced, when good people are brought together, good things can happen. That is true about a lot of what came from the work of Eames-Bradley.

The past two or three weeks have demonstrated the greater maturity and stability that now exists within the political system and the institutions. In these circumstances, it appears that an opportunity has arisen to move more quickly and fully on a range of issues in order to deepen the stability we have at present. That includes devolution of justice and policing, the issue of a shared side and dealing with the past and victims. Regardless of how people previously reacted to Eames-Bradley, we now have a space, and if we move cleverly and quickly, we may proceed further than we expect.

That said, however, I must raise two questions with Denis and Lord Eames. One of the things that surprised me about the report was that, while all of us have to face up to what we did or did not do in the past irrespective of whether we were involved in conflict, it did not make a more explicit challenge to those who know the most about the past and who did the worst to accept responsibility for telling the truth. I am aware of what Denis said in the Oireachtas Committee on the Implementation of the Good Friday Agreement, and I heard the comments made today by Lord Eames in his challenge to the IRA, for example, but if we are going to have the truth of the events of the past 40 years, never mind longer periods of history, a more explicit challenge should have been raised against those who did the worst and know the most about these events. I did not pick that up in the tone or narrative of the report or the public statement made on the day that the report was published. There could

be a good reason for this. Perhaps you know that those who are responsible for the worst of the past, be they in State organisations or paramilitary groups, are going to co-operate and tell the truth in a way that is contradicted by the evidence of their behaviour in recent years around inquiries, the disappeared bodies and the rest of it.

Denis referred to the fact that governments will cherry-pick reports. That is my fear in respect of this report. While it contains much that is good or can be made better, my view is that elements in the British Government and paramilitary organisations ultimately share the deep understanding that we will not tell and you will not tell. The firmest proof of that was the obscene on-the-run legislation, which was intended to give expression to that understanding. What has changed for that conclusion not to be drawn now?

Mr Andrew Mackinlay MP: Something Denis said in regard to Omagh did not make clear to me his intentions, and perhaps he might amplify his comments. Although perhaps unintentionally, he appeared somewhat ambiguous when he noted that the police service feels particularly aggrieved and felt that another group was not taking blame or responsibility. I was not sure if Denis was alluding to the intelligence and security services and, if not, whom he had in mind. It seems to me that clarity is needed in this area. We are probably not going to see a full inquiry into Omagh, and throughout the comments by our two friends there runs a theme of the astronomical cost and length of time involved. I would like Denis to clarify what he meant because, with respect, it was not quite clear to me.

3.15 pm

I was somewhat surprised by the issue of recognition payments. I am embarrassed to admit that I had not realised that such payments were made in the Irish Republic. This is not solely a Northern Ireland matter. During the night in 1992 on which I was elected, I lost one of my constituents at the Baltic Exchange. I admit that one is not a large number compared with many others here who endured losses, but I still deal with this young man's mother. I also recall the tragedy of

Warrington, in which the young boy was killed. Although primarily a Northern Ireland issue, therefore, it has a United Kingdom dimension.

I became aware, about ten months ago, that the Bush Administration has reached an arrangement with Libya whereby the latter has, without admitting anything, paid a substantial sum of money in recognition of United States citizens who were victims of the troubles and war. Of course, Libya's motive is to come in from the cold, and all of us, in principle, would welcome this as a way of drawing a line on the past. I cannot get over my total dismay that the United Kingdom Government and Gordon Brown, who Nigel Dodds and I met regarding this matter, have not even thought of asking Libya to make a comparable recognition payment in respect of United Kingdom victims. I find it bewildering, irritating and rather pathetic.

I wonder whether our two guests are familiar with this matter and, if so, perhaps they could throw light on it. Did they explore it with the Government and the Prime Minister? Although everyone here knows that money is not the overriding consideration and, indeed, could be seen as offensive, if Libya negotiated a payment with the Bush Administration in recognition of United States victims followed by a treaty of reconciliation, why should the same not happen here? It could go some way towards healing hurt and providing ongoing facilities for the bereaved and the people who bear emotional and physical scars.

Mr Jim Wells MLA: I accept the point that you were handed a poisoned chalice by the then Secretary of State. You are in a terribly difficult situation, but I have to say that the gut reaction of just about every Unionist, be they extremely moderate or right-wing, was to be appalled at the recognition payment on two levels. To compare the Shankill butchers or the Shankill bombers with the Shankill victims sticks in the throat of most ordinary people. To say that the tears of the mother of an IRA terrorist shot by the police are the same as the tears of an RUC member shot by a terrorist is totally wrong, because it has to be admitted that many of those mothers knew and supported the actions of the terrorists and did absolutely nothing to pass on information to the security forces. I am afraid that reality was overlooked in the

various comments made in the report.

The recognition payment has totally overshadowed the remainder of the recommendations of the report, some of which are acceptable or debatable. The only issue in town when the report was published was the £12,000 payment and, given the resources that you had, I am surprised that your advisers did not point out the iceberg that you were likely to face on this issue.

The initial reaction of Unionism was that it was totally unacceptable, but the considered reaction is that it is even more unacceptable. There is something about the Ulster Unionist psyche that cannot accept that those who lie in ditches and murder innocent people, be they members of the security forces or not, and who are subsequently killed themselves are victims. I am sorry.

There is a definition for “victims”, but that is not a definition that was ever agreed by the community in Northern Ireland. It is a definition which, unfortunately, cannot be overturned without cross-community support. It is unlikely that one particular party will ever support its overturning. We are stuck with that. It was not a decision of the Northern Ireland Assembly but was taken under direct rule, which again sticks in the throats of ordinary members of the community. I cannot see any set of circumstances whereby the majority Unionist community and, indeed, the majority moderate community will ever accept the payment of recognition money to those who have tortured this community for the past 30 years. I am sorry.

The Lord Eames: We will respond to the various points but not necessarily in the order in which they were raised.

Alex Attwood asked whether we encouraged people in the security world to step up to the mark and whether we knew something that we did not disclose in the report. One of my fears when we began this task was that doors would be shut on our faces and that we would be told to go away because people did not want to speak with us. I have to say that we were overwhelmed by the way in which one

door opened further doors. This was particularly true when we discussed the security services. Obviously, we have tried to honour information given to us in confidence but we have reasonable grounds, at the very least, to believe that if the process of stepping up to the mark that was envisaged in our report was encompassed by paramilitaries, the State authorities would not be found wanting.

We sincerely believe that what is needed is simply for that process to begin. When we appeal to the IRA or Loyalist paramilitaries to step up to the mark, we are asking more than that they should do so on their own behalf. We are asking that such a response should start a process which we believe would move quite quickly towards the disclosure that so many people, and particularly those who simply said they want to know what happened, desire. I would love to go further Alex, but that is the most honest answer I can give you in the context of your question.

In regard to the maturity of a section of the community in addressing the past, we wondered at the outset of our consultations whether we were pushing too hard too fast in asking any section of the Northern community, or anyone on the island of Ireland, to examine the past honestly. It was a real risk and worry for us that pushing the boat out too far in the initial stages would create some sort of threat to the undoubted progress being made in the political world. We agonised over that and consulted the parties, including your own party. We were assured that, if we did this properly, there was a growing maturity which would allow people to say: "we made mistakes and we want to know where those mistakes contributed to the problem."

As I tried to explain in my introductory remarks, one of the issues that became evident to us as time passed was that people were growing in maturity and certainty. The reaction to the three recent murders provided particularly strong evidence that society has moved on from the question of ceasefire, Belfast Agreement, Antrim and Craigavon. These were tragic events but they demonstrate a level of maturity. Beyond what people are prepared to accept, there is a maturity in this society for various reasons, some of which I have mentioned, whereby people want to know the story, warts and all. They want to know what went wrong and who

caused it.

The trouble that then arises is, depending on the community in Northern Ireland from which you come, you will have your own version of how and why it happened and how it could have been avoided. I will give you one example. The question was raised with us of whether it was inevitable that violence would break out given the declared feelings of alienation on the part of one section of the Northern community. The answer came in two forms. The first suggested that it was always possible to reach a political agreement and to create the structures for the democratic sharing of power but these opportunities were not grasped. The second form, which perhaps favours the community from which I come, was that some were hell-bent on violence, and this gave them the excuse, or the mantle of respectability, to engage in the terrorism and violence that followed, and, of course, the reaction then came from the other side. Alex, it would be a very wise person who could give you a complete answer to that. I do not think that I am that wise person, and I simply say in answer to your question that I will probably take that dilemma with me to the end of my life. I do not yet know the answer.

Mr Denis Bradley: I am not sure if we are responding to questions in the order they were put to us, but I will try to recall some of them. I think we would need four hours to answer Paul Bew's questions because they are very pertinent, and I am not sure that I can answer them quickly.

My difficulty with the IRA at present is not whether it will engage, but that it will not engage while it holds out for the prospect of another way of doing this, based on the contention that it should be under the auspices of a body such as the United Nations. I pointed out to the Oireachtas Committee on the Implementation of the Good Friday Agreement that the United Nations has never overseen such a process, and I do not see any prospect of it taking on such an overarching role within the next 100 years.

It was put to me by some people within the Republican party that if the Prime

Minister of Britain and the Prime Minister of Ireland pleaded with the United Nations, it may be prepared to oversee and pay for this process, but my view is that they would be put out the door as quickly as they entered through it. They would be asked how, if two of the richest nations in the world cannot pay for this, a body which is in grave financial difficulties could do so. My difficulty with that proposition is that it unfairly holds out an unachievable prospect for those very worthy victims. If it keeps being promoted, one will be pushed to the position which Alex outlined earlier, namely, the conclusion that the IRA does not want this or any other process to be put in place. I have not quite arrived at that conclusion, but one would be pushed in that direction.

Regarding the legacy commission and Peter Smith's question about lawyers and so forth, we put considerable efforts into this and received a lot of legal advice. We pushed our legal structure across many desks and sought comments, reaction and opposing views. Having heard the reactions from the highest legal experts in the land, we believe we are on pretty solid ground. Some lawyers did not respond as deeply or as authoritatively as we would have hoped or expected, but we did a lot of work and had an incredibly good adviser in this area. We think we have created a model which can be used in other areas outside the political arena if so desired.

In response to an issue raised by Alex or Paul, a section of the report deals with on-the-runs. We said in the report that the issue should not be addressed within the next five years.

3.30 pm

We are a bit surprised that there was not much reaction to that. We said that we thought the best way forward was for on-the-runs to be dealt with as part of the finishing process after the five years were up and when all the other work has been done.

Some people had pleaded for on-the-runs to be dealt with now, but we were not

prepared to do that. The on-the-runs issue has been messed up in the sense that it did not get through Parliament, and people have taken very strong stands on the matter. We have said that one should not twist something just to suit 20 or 40 people — indeed, the latest figures show that there are now only about 25 on-the-runs — rather than provide an overarching position for thousands of people who are looking for some kind of justice. We think that the position that we have taken on on-the-runs is correct.

Andrew Mackinlay's point about Libya was a comment rather than a question. We do not have much to add to that other than to say that it is an interesting perspective. I was referring somewhat obtusely to the fact that there is a residue in the security services, and particularly in the retired security services here. There are associations that represent various aspects of the security services, and there is growing antagonism about blame and who should take responsibility for some of the things that happen.

Some retired members of the security services who still live in Northern Ireland feel that MI5 has cleared off, washed its hands and taken no responsibility for the things that happen. There is a feeling that MI5 will leave all the cases behind in Northern Ireland and that MI5 people will not be arrested because they are unknown and untouchable. However, under the powers of the ombudsman, doors can be knocked on and people pulled in for questioning. Indeed, that happened within the last three months, and there is a fear in some communities that it will happen even more in the future. I was referring to an antagonism that has not gone away, and the 'Panorama' programme was a result of that tension.

I agree with Jim Wells, who summed up well the fact that there is a great reluctance within unionism to face up to the issue of recognition payments in any way. Sometimes that is a result of misunderstanding. For example, I was recently in a room when a senior politician said that he did not know how money could be given to the wife of a policeman, to the wife of a British soldier and to an IRA man. I responded by saying that no one is proposing that that should happen. The

definition of a victim is that recognition should be given to the widow of an IRA man, the widow of a British soldier and the widow of an RUC man.

The strange thing is that loyalism and working-class unionism has no difficulty with the issue, but middle-class unionism has a massive difficulty with it and does not want to grasp the nettle. We grasped that nettle for a number of reasons. In the early days, a lot of people, such as RUC widows, pleaded to us and said that no one had recognised their husbands' deaths. Funnily enough, we also received pleas in respect of British soldiers, although not in large numbers. Andrew Mackinlay identified the fact that no one has recognised the death of British soldiers. If we recognise those deaths, it is correct that, at the end of the political conflicts, we define a victim as someone who was killed as a result of a conflict-related event.

The Lord Eames: I will add briefly to what Denis said, particularly about Jim Wells's comments. The reaction that Jim described so graphically came from the community that I worked in. It may not surprise Jim when I say that the proposal for the recognition payment was not initially acceptable to all in our group, for the reasons that he gave. However, if we had not made some gesture of recognition — leaving the financial amount aside — we would have broken trust with a large number of people who were involved in our consultation.

I was personally amazed, again, from my experience, by the volume of requests for such recognition. I was equally surprised by the number of politicians who came to us and said that, no matter how it was done, there must be some recognition given to that particular sector of our society. Much of our consultation must, obviously, remain confidential, but we did not pluck that suggestion out of thin air. It came to us from a significant number of the people who we were dealing with.

To answer the second question, we were aware of the Libyan dimension and its implications. We were equally aware of the conflicts facing people in Northern Ireland who wished to pursue a course similar to that which resulted in the judicial decision in the United States, which was the other aspect of that matter. Not long

ago, I attended a meeting at Westminster at which quite a few unionist politicians attempted to get the Prime Minister and the Government to change their minds. I am not up to date with developments on that matter, but I can assure Jim that we were aware of its implications.

The Co-Chairman (Rt Hon Peter Hain MP): Do you wish to respond briefly to that, Jim?

Mr Jim Wells MLA: Quite simply, if the phrase “innocent victim” had been used, the Eames/Bradley group would not be in the jam that it is in. We must remember what some individuals did, such as Mr Bates, one of the “Shankill butchers”. He tortured innocent Roman Catholics and was later killed by terrorists. The very thought of giving his relatives £12,000 will stick in the throats of middle unionism for ever. It is unacceptable.

Mr Denis Bradley: The use of the word “innocent” does not solve the problem.

The Baroness Blood MBE: I will begin by acknowledging the commitment and contribution of Lord Eames and Denis Bradley in completing the report of the Consultative Group on the Past. Tremendous work has been done by those two men and the rest of their team. However, I want to look at another aspect of their report.

The report touches on many sensitive and difficult issues that must be addressed as we try to find a way out of our troubled past. The report contains important recommendations on reconciliation, sharing and cohesion, specifically in education.

I will read two brief excerpts from the report. Page 77 states:

“Any society moving forward from conflict has no choice but to address the separations that exist between its people. Those separations are negative and destructive when they exist in housing, employment and social life. Specifically the arguments about the ethos or quality of education provided in the faith based

sectors have to be balanced against the reality that reconciliation may never be achieved if our children continue to attend separated schools.”

Page 78 of the report recommends that, if it is established:

“the Legacy Commission engages specifically with the Christian churches in Northern Ireland to encourage them to review and rethink their contribution to a non-sectarian future in the light of their past, particularly in the area of education.”

A recent survey that was carried out in the Church of Ireland diocese of Clogher reflects the views and experience of many Protestants who live in border areas, and their desire for more local integrated education. Finally, the report offers an opportunity to place the role of a shared educational future on the political agenda.

I want to ask two brief questions. Do you agree that the Northern Ireland Assembly should ensure that integrated education becomes a central tenet of the programme for sharing, cohesion and integration? What practical steps should be taken to encourage Churches to review and rethink their contribution to education?

Mr Noel Treacy TD: I have listened with great interest to what Lord Eames and Mr Bradley have said, not only here but at meetings of the Joint Committee on the Implementation of the Good Friday Agreement in Belfast and Dublin. I want to acknowledge again the impossible task that they were handed; the huge complexities that they had to deal with; and the openness, honesty and integrity that they brought to bear in dealing with what is probably the saddest chapter in Northern Ireland’s history. We owe them a huge debt of gratitude for the serious job of work that they have done.

In his opening contribution, Lord Eames said that the past will never go away and that it must never happen again. I hope that the past will be a yardstick by which we can work together to ensure that it is never repeated. I hope that the report will assist us, the current generation of politicians who are charged with responsibility to

represent all of our people, North and South, east and west, to work together in a consensual, collective, and committed way. I hope that we can use the report in the discharge of our responsibility. Lord Eames and Mr Bradley have put the challenge before us that we are part of the healing process. Of course, we must be part of that process. We have a serious responsibility. We have inherited a serious problem from the past. We cannot allow the current generation of young people in Northern Ireland to be victims of the sins of the past.

I understand completely Jim Wells' situation and that of the unionist community in Northern Ireland. I understand the sensitivities that that situation creates for them. When one realises and recognises the difficulties that Lord Eames and Mr Bradley had to deal with; to make a general judgement on deaths, tragedies, murders and mayhem in the absence of de facto individual information on each case, surely it is clear they had to make a judgement and recommendation that would deal with that serious situation — taking into account that their recommendation of a recognition payment clearly showed the futility of war and the mortal equality of each homo sapiens in death — in an environment in which the lack of information ensured that they had to deal with something that existed historically, but, informationally, was almost invisible.

In the Republic of Ireland, we must deal with a vis-à-vis situation. An Oireachtas subcommittee was set up. It recommended that payments of €15,000 be made to the bereaved. Ultimately, that was accepted, taking into account our responsibility to acknowledge every human being's right to life, and that when a person has died, their integrity is carried through in the discharge of our responsibility to deal with those tragedies that, we hope, will never happen again.

3.45 pm

You were given an impossible task and have produced a report that will hopefully be of major assistance to us. If we grasp that opportunity collectively — east, west, north and south — we can hopefully bring people with us and ultimately make the

progress required so that never again will any family experience the terrible tragedy that was recently visited on the families of those unfortunate public servants in Antrim and Craigavon. We all condemn and abhor those acts, across Ireland and across the modern civilised world.

Are you satisfied that the establishment of a legacy commission would bring a reasonable conclusion to the saddest and darkest chapter in the history of Northern Ireland?

Mr Brian Hayes TD: I join others in welcoming the presentation from Lord Eames and Denis Bradley.

Although it was denied at the time, discussions took place between dissident republicans and representatives of our Government in the immediate aftermath of the Omagh atrocity. Even though it was denied at the time, it subsequently came out that discussions followed that atrocity as a means of trying to get some closure on the part of those involved. Last week in the Dáil, I asked the Taoiseach for an absolute assurance that there will be no formal or informal chat or engagement — call it what you will — between representatives of our Government and those who present the current dissident republican threat. He gave me that assurance, which I value.

Returning to Denis Bradley's comments about reducing the oxygen and air to the dissident groups, we must make it absolutely clear that there cannot be any engagement with them. As happened after Omagh, a severe response is required from the security forces so that they sit on the dissident republicans. Of course, such a response has resource implications. I was interested by Denis's comments about taking air and oxygen away from the dissidents.

In December last year, Westmeath County Council held a playground launch in Moate of all places. That was done to honour the memory of Private Kelly, who was a young man killed by the IRA in a kidnapping episode while he was carrying out his

duties in Ballinamore. That young man left four young children and a widow who had to go to England to get work, because she was not well supported by the Irish State. She brought up those four children brilliantly. What struck me about the launch of the playground was that it was the first real recognition that that man gave his life for the security of our state in extraordinary circumstances.

I was also struck by the comments made by senior army personnel at the launch. First, they said that they recognised that the playground launch was positive in recognising Private Kelly's contribution. Secondly, they spoke of the huge legacy in our army and the Gardai about those who have yet to stand trial for crimes that they committed. How can you have a legacy commission that excludes the Republic?

Even though the scale and the numbers are totally different, surely it has to include, as part of its remit, the atrocities committed south of the Border and the parties involved in these atrocities. Have you come to any conclusions in your discussions with the Irish Government about where we should proceed in that regard?

Mr Jim Dobbin MP: Thank you, Co-Chairman. When Lord Eames and Denis were taking evidence in preparation for their report, did they come across the side effect from the Troubles of mental stress and trauma, which have practically destroyed careers and families, given rise to high levels of tranquiliser and anti-depressant addiction and created chaos in the local community? Do you not think that the Government has a moral obligation to invest in withdrawal programmes so as to give back to the people who have been affected in this way by the Troubles their quality of life?

The Lord Eames: I will take the last question because it is something about which I feel very deeply. We were quite surprised at the number of people who had no visible ill-effects of the troubles yet were devastated psychologically by their experiences. We took evidence from leading psychiatrists who told us that, for a very long time, the British Government failed to recognise this area of trauma resulting

from the Troubles. Several noted a similarity between the psychological trauma and mental disorders to which you referred and the sort of issues that the Government has had to address with troops returning from areas of conflict around the world.

The pleas put to us by the medical side were for the Irish and British Governments to recognise, in a new way, not only the need for research but also that, alongside the physical injuries, huge issues had developed in respect of mental disorders and addiction as a result of the Troubles.

The problem, which is set out in the report somewhere, is that while we were able to quantify those who had lost limbs or had been killed, it was impossible for us to quantify the size of the population surviving the Troubles who had been traumatised in the way you have mentioned. One well known psychiatrist, who we commend in the report, told us that he could not possibly give us an idea of the size of the problem. He noted, however, that based on his clinical experience cases were still coming to the surface years later, involving the trauma which you describe but which had not previously been recognised.

Denis knows more about the addiction side of this than I ever will, but I would certainly answer affirmatively that we received firm evidence that this was a major problem with which society had yet to come to terms. The question of cost was, of course, also raised in terms of the NHS in GB and other medical services. Again, it was a question of whether it was possible for us to quantify the numbers involved. I would also answer in the affirmative your question of whether this is something that is recognised. It is increasingly recognised but at a much later stage than should have been the case.

I will now turn to the Baroness Blood's question about education and the churches. It will not surprise her that I have strong feelings in this regard because of my background. In so far as the churches are concerned, I have to defend the efforts that have already been made to examine their record on the Troubles and overcoming sectarianism. In respect of the Church of Ireland, I refer to the hard

gospel programme, which has achieved a great deal in asking people to face up to their sectarian attitudes. The Presbyterian Church in Ireland's church and society community has done a lot of work and one of its members, the Reverend Lesley Carroll, was a member of our team. Efforts are being made at that level to analyse the issues and our report simply advises the churches that nobody can sit back on his or her laurels. They must continue to probe until their own houses are in as much order as possible.

You and I come at two different angles to the education debate. While I have a tremendous amount of sympathy with you on integrated education, I am also a product of the grammar school education system and a strong supporter of it. For 22 years, I have served as Chairman of the board of governors of one of the largest grammar schools in Northern Ireland and have seen much evidence of co-operation between grammar schools, which was unknown during my school days. I think of Methodist College, the leading Roman Catholic schools, Royal School Dungannon and Royal School Armagh. Numerous grammar schools are involved in integrating activities, particularly in terms of sixth-form education before students leave school.

I acknowledge the strength of your argument that educating children totally within their own environments does not contribute to reconciliation, but the evidence I have received indicates that the practice is decreasing and that more approaches are being made within the grammar school sector, which was equally guilty in the past, to give a broader appreciation of what is happening in the community than was formerly the case.

Mr Denis Bradley: I will further address the last point because Robin and I come from two different perspectives on it.

I do not think I am loved within the Catholic hierarchy at present for a number of reasons, but it will not get rid of me, so that is okay. This was an interesting week. The issue of the Act of Settlement and the prohibition on Catholics from marrying into the royal family makes for an interesting intellectual and historical debate. If

people do not think that that is being discussed in the pubs of Northern Ireland, they are mad. It is what gets the blood up quicker than anything else. Similarly, anybody who thinks that the Catholic Church describing Protestant Churches as “non-ecclesial” entities does not get the blood up of Protestants, or is not discussed in pubs in working class areas, is mad. Churches need to understand and pay greater recognition to the fact that theological differences percolate onto the ground and come out as rawness and crudeness.

I agree that the churches have done good things, and some of the most outstanding people in the history of the Troubles have been clergy from both sides of the community but, then again, who said that the clergy or the grammar schools were the church? The churches are caught in a position where they, at least, need to grasp that their theological differences contribute to the divisions that exist within our society. If they do not recognise that, they cannot really contribute to the solution. I will leave the issue at that because I want to address a number of other questions.

4.00 pm

I really need to come back to John Hayes because I am in danger of being accused of double standards.

The Co-Chairman (Rt Hon Peter Hain MP): Brian Hayes.

Mr Denis Bradley: Sorry, Brian Hayes. You are not yet 15 stone and in the front row. By the look of you, I do not think you will replace him.

I do not want to be seen as a hypocrite, because while I think that you have to remove the oxygen from the dissidents, I do not believe that back channels are bad. A big and useful political debate is currently underway in regard to whether you speak to your enemy, regardless of who he or she may be. It was interesting to see the two old rivals, Jonathan Powell and Gerry Kelly, fly together recently to the

Philippines. The truth of the matter is that throughout all the years that the British Government was denying that it was speaking to the IRA it was communicating through back channels. In my opinion, governments which do not do that should have their heads examined.

The remaining argument on this island is among Nationalists and Republicans as to whether the Good Friday Agreement is the final settlement. In other words, do militant Republicans in their old tradition claim they have some kind of right from 1916 to continue the battle against the occupying forces of the British Government? The party which needs to argue that most specifically and vehemently is the Irish Government. It is wrong to put the British Government out in front because that only stirs the blood in another fashion. I think the Irish Government can help to bring closure by taking on that responsibility, not only through law and order, but also through political and intellectual discussions.

It is wrong to put people into a corner without giving them an escape route. I do not care who they are. Side doors, back channels, or whatever they are called, that allow people a way out are much more effective than putting them into a corner and beating them until they no longer exist. That has been the history of the world. In many parts of the world, and particularly in the context of the Israeli-Palestinian situation, very interesting discussions are ongoing in this regard. A journalist from 'The Independent' reporting on George Mitchell's recent visit to the Gaza Strip or Israel noted that those who live in the area know that everybody speaks to everybody and has been doing so for years, but the charade is continued of George being unable to speak to the people.

The difficulty with the dissidents is that nobody knows with whom they should speak because, rather than being a single entity, they comprise at least three and perhaps four groups. I do not claim it is easy because I think the argument is very complex, but I do not wish to be interpreted as warning against speaking to them. I was recommending a harsh approach and against giving them publicity but, if we decide that we cannot deal with the past because it is not over, we have given them

a victory. That is my opinion.

If you read the report carefully, you will find the legacy commission puts a bridge across the border. The report notes that the commission is the only way to deal with the legacy of what has happened here. This is an important point which people need to understand. If this report is implemented, it will be partially because two million documents from the Stevens inquiry are sitting in Putney and nobody knows what to do about them. The difficulty faced by the Irish Government is that it does not know how to resolve the issues that were set out in the McEntee report because no mechanism is in place to address them. We have proposed a way to deal with these issues within a contained and time-limited fashion but with a mechanism that allows the right to access the documents so that they can be taken aside or put to bed properly. The proposal recognises, however, that a cross-Border approach is required. All I can say to you at this point is that the Taoiseach was quite positive in his response to us.

The Lord Eames: Do not forget that we had considerable contact with the relatives of the Dublin-Monaghan bombings victims, so it was not a case of simply viewing the legacy commission in terms of Northern Ireland. Our consultation in Dublin with the relatives was possibly one of the best attended of our meetings. We are thinking of an international plus all-Ireland concept.

The Baroness Harris of Richmond: I found the vitriolic and often personal attacks against your extraordinarily thoughtful report to be deeply depressing, but I am heartened by what you have said today. I am sure those messages will be passed on very quickly.

What do you want to happen next? What are you doing to have the report debated within our respective Parliaments? What has been the response from the British and Irish Governments and when do you think a timescale can be devised for the legacy commission if it comes into being?

Mrs Margaret Conlon TD: I welcome Lord Eames and Mr Bradley and thank them for their presentation. Several years ago, each of us in this room might have been perceived as enemies, and if we never held behind the scenes negotiations, I do not believe we would be where we are today. Every opportunity should be used to talk and negotiate, although I certainly would not want to give those dissidents any oxygen or mandate to continue.

If recent events have taught us anything, I believe it is the huge maturity they have revealed. The general public came together to say that we cannot go back to that road.

Lord Eames and Mr Bradley, you have done tremendous work. There has been a hang-up over recognition payments and a lot of the good work that is contained in the report is lost because of that. For the first time in many years, you gave victims a chance to tell the stories to which nobody had previously listened or tried to understand. This allowed them to begin a process of healing.

As I have said to you before, I feel extremely sorry for one group of people, namely, those who do not have a body to bury. These people cannot yet begin a healing process because they do not know what happened to their loved ones or where the bodies lie. If you can do something to help those people in any way, that would worthwhile. A victim is a victim.

Although I appreciate the huge sensitivities, as expressed by members of the Unionist Party, I do not think that any mother brings a child into the world with the intention that that child will commit an evil act. You may hate the sin, but, at the end of the day, they are your own flesh and blood, and you do not hate the sinner. Although it may be difficult to accept what they have done in committing terrible acts, at the end of the day, those people were conditioned by the societies in which they were brought up and by what was happening at that time. I do not for one minute think that any mother's or father's tears are any different to anybody else's. If you have lost a loved one, however you have lost them, you still have to suffer and

endure the pain of loss. Thank you.

Mr Willie Clarke MLA: Go raibh maith agat. First, I would like to pay tribute to Robin and Denis for their diligence during their lengthy period of consultation and their hard work. A lot of hard work and energy has gone into the report.

Denis rightly says that Sinn Féin has consistently called for an independent, international body, such as the UN, to be the leader in establishing a commission. How that can be brought about, I am not 100% sure. You have outlined that it might take 100 years for them even to consider it. I would be interested in your comments on some form of international body. I say that because, having met victims and victim groups in my own constituency of South Down, including the Loughinisland massacre support group, it is clear that what they want above everything else is truth. They do not believe that we will get to that truth without an international dimension.

They are frustrated even with regards to the ombudsman, because the case examining the investigation of the Loughinisland massacre is being stalled at every occasion. One of them has talked about it being like walking through treacle. They believe that British securocrats are in the middle of stalling the whole process. Those are totally innocent victims: they were sitting watching a football match when people came in and massacred them. I think that we can all agree that those people need justice, like everybody needs justice and truth.

They also talked about other victims of British state collusion. They are very concerned that the next stage of this process is that the British state — in my eyes the chief protagonist in the whole conflict — is going to take the report away and cherry-pick it to arrive at a position that suits its own interests, and that does not match the victims' interests. There are real concerns and I am sure that you met those.

Denis, you also talked about Sinn Féin disagreeing with the recognition payments.

What Sinn Féin really disagreed with was that the payments had taken centre stage in the good work that you had done in your report. It was being used as a political football. That point was coming back to us when we were having our meetings on the ground. People were saying that they are not worried about money; what they want is truth. We had a series of meetings with victims and that is what they were telling us.

To finish up, I do not believe that there should be any hierarchy as regards victims. Everybody's blood is the same. Everybody's tears are the same. It is about where you are born and brought up. You are shaped by the community in which you are brought up. Some of us were very lucky; some of us not so lucky; some people victims numerous times. A lot of those people never had a chance in life.

4.15 pm

That could go for all sides throughout the whole conflict. There were people from working-class backgrounds in the British Army. They have a lot in common with republican combatants who came from working-class areas with high levels of deprivation. There cannot be a hierarchy, particularly among mothers. I agree with Margaret's comment in that regard. We have to keep all channels open when we are discussing solutions to the end of violence. That has been proven: the success story of the peace process came about through that.

We can lambaste all we want, but we need to engage with influential people in those organisations — and there are some. Tommy McKearney made some valuable contributions in regards to the incidents in Antrim and Craigavon. He undermined the groups' argument in relation to where they were going. I do not want to be negative; I am just articulating what has been said to me. Thank you for all your hard work.

The Lord Maginnis of Drumglass: Robin and Denis referred to integrity. I have known the two of them for many years, and nobody doubts their integrity. They

talked about the task being impossible. I doubt Mr Hain's wisdom in setting up the inquiry in the first place.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you for that, Ken.

The Lord Maginnis of Drumglass: Denis annoyed me slightly when he referred to senior unionist leaders who said one thing to him and another thing to the report subsequently.

Mr Denis Bradley: I did not say that — Robin said that.

Lord Eames: I said "senior politicians."

The Lord Maginnis of Drumglass: I always like to blame the Catholics. *[Laughter.]*

Joking apart, that should not, with respect, have been said because it reflects on us all. Unless we identify those who are duplicitous, it should not have been said.

The real point that I want to make about the whole inquiry is that after 30 or 40 years of violence, who is not a victim? What about all of the people who served with me? Were they not victims, whether or not they were shot? People could not take their children to church in their car on a Sunday morning — were they not victims? Children went to school while their fathers were still out on patrol — were they not victims? Tell me who is not a victim.

If we begin to consider the problem like that, we will perhaps get closer to the real answer. With inquiry after costly inquiry — which mean that hospitals are not being built — we are creating an expectation among people who are victims in their own minds. That is the reality. I then have to ask whether the truth can ever be defined. Can it be defined against the disparate background of two separate traditions? I suppose it could if we were all conditioned and brainwashed so that we would accept that, somehow, whatever you ultimately tell us is the truth. However,

I do not believe, against our various backgrounds, that a resolvable task is being tackled.

The way in which we are now being governed — whether it is by the Assembly or partly by the Assembly and partly by the Northern Ireland Office — is not satisfactory because the one group of people who do not get the truth is those who are meant to do the work in the Assembly: people like me who are parliamentarians.

If I were to try to ask the Chief Constable, Secretary of State Woodward or the Director of Public Prosecutions a question, each time the answer would be, “We cannot tell you; it is an operational matter”. I am not allowed to know the truth of the past, the truth of this moment, the truth of loyalist arms that have not been decommissioned, or the truth of whether the dissidents are making use of Provisional IRA Semtex that has been held back. And as long as I am not allowed to know that, and the public are not allowed to know that, the truth does not matter. We are telling people that the truth does not matter. It is something to do with a civilised blame game to hark back and back over 40 years and nothing to do with the truth.

I would rather see two nations on this island — two traditions — trying to recreate an ethos that did not allow the terrorist infrastructure to be gently adapted for criminals and become a criminal infrastructure. I would like to see something that looked at the plight of young people who are being exposed to criminality, drugs or such things that would build us a future. In looking at the past, one looks at the depth and the cost of the past. We are not ready for it and we will never be ready for it. We come from different traditions and we have different backgrounds. I believe that in looking at the truth and the past, we are killing any opportunity for truth and a greater and better ethos in the future.

Mr Seymour Crawford TD: I pay tribute to the work of Lord Eames and Mr Dennis Bradley. I had the opportunity to meet them on several occasions. I also pay tribute

to their team, which is made up of an impressive group of people who put a lot of interest and work into trying to deal with the issue that they were given to handle. One can agree or disagree with Lord Maginness about whether it should or should not be done, but it is being done and we will be getting a report based on the information and effort that the group put into it.

We have come a long way, although we have seen a completely different situation over the past few weeks with the murder of the two soldiers and the PSNI constable, and one must also remember the pizza delivery men who also suffered. However, when one compares what happened then, to the reaction of senior politicians when Paul Quinn was murdered only 15 months ago, Mr McCartney before that, or the Omagh bombing, which none of us will ever forget, one realises that things have moved on and things are a lot better.

We must also recognize that the PSNI, with whatever support it has received from the public, has been able to act more quickly and bring people into custody. We cannot yet say that those people have been brought to justice but at least a more positive structure now exists.

As I have said to various groups, after my election almost 17 years ago, one of my first acts was to visit the victims of the Monaghan bombing. The majority of those folk, with only one exception, simply wanted to carry on with their lives and not revisit what had happened. However, as the years went by, some became more interested in finding out about the history of past events. Therefore, I understand, to some degree, the position of both sides.

Some years ago, I met a lady one night and said to her that we must move on because 3,000 people had died. She replied that it was all right for me to talk about moving on but my brother had not been murdered in his place of worship. It is important that we realise that there are a number of perspectives on this matter.

My real reason for speaking on the subject today is that I want to find out, in

blunt terms, from Lord Eames and Denis Bradley whether the situation over the past few months since the publication of their report has made them more hopeful. Do they believe that it will be possible to set up the legacy commission that was the kernel of their report? Do they consider that such a commission would be taken seriously by the lead Government with the support of the Irish Government?

We cannot go forward without hope. We must take a great deal of hope from the fact that, in 2009, we are sitting in this room and talking to each other as civilised individuals. I am perhaps the second longest serving member of this organisation. In 1993, it was much more difficult to build friendships and sit round a table for lunch with someone beside whom one would rather not sit. This body, or Assembly, as it is now called, has, in its own way, played a major role in building that trust. We now have the opportunity, which was absent for some time, to listen to Ken Maginnis, Jim Wells and others. I warmly welcome them and David McClarty.

Mr Chris Ruane MP: I congratulate Robin and Denis on their report and its 30 recommendations. The report does not recommend an amnesty but offers a chance for future prosecutions, which they described as the potential for justice, despite stating that the chances of wholesale prosecutions are increasingly low.

The report also refers to the desire of many from whom you heard evidence — a desire that has been echoed in the Chamber today — for additional information, the truth. It also refers to the need to get to the bottom of each individual's circumstances. How likely is that to happen, given that, on the one hand, the report refers to prosecutions, and, on the other hand, states that people require additional information? Those who may have been involved in illegal activities include the police, the security services and the army on the side of the state, and the UVF and the IRA on the paramilitary side. If they face prosecution, what is their incentive to come forward, put their hands up to what they have done and give the required information? Does one recommendation work against the other?

On a more personal level, you mentioned that, having taken 18 months of

evidence, you and your teams were “emotionally drained”. How did you personally cope with taking 18 months’ evidence of unremitting sadness?

The Co-Chairman (Rt Hon Peter Hain MP):

Chris is a good friend. Those two questions are two of the most pertinent questions that we have had all afternoon and I am very interested in what Robin and Denis are going to say in reply.

The Lord Eames: Again, I have to say, my answers may not be in the order in which the questions were asked. First, Baroness Harris asks what is next, what is the timescale and what will happen.

4.30 pm

The Consultative Group on the Past no longer exists. We have been kicked out of school. Denis and I have the memories of the process but as two individuals. The report has been given to the Secretary of State for Northern Ireland and was shared initially with the Irish Government. We are out of a job in so far as it is now being considered by the Government. The information we have been given is that a response will issue as soon as possible. The question of the legislation required should the recommendations be implemented will involve – we are sticking out our necks here — Westminster and, probably, the Assembly. An ancillary move will probably also be needed in Dáil Éireann. In other words, it will be a cumulative procedure.

In regard to what we can do to encourage the proposals, there are obviously opportunities, such as today, for us to express personal opinions and to be honest with you, which I think we have been. However, I would like to throw the ball back. A lot of today’s speeches have claimed the value of this Assembly is paramount to the work you are doing. If the Members of this Assembly took seriously what they heard from us today or read in the report and used their positions in the various Assemblies and Parliaments represented here, it would be immensely encouraging

for you to say you did not like that but liked this or thought it worth following. If that was done, and I think in particular of the Westminster colleagues of Baroness Harris and I, it would be a strong encouragement.

My good friend, Lord Maginnis asked “What is truth?”

Rt Hon Michael Mates MP: He was not the first.

The Lord Eames: The question has been asked for an eternity but, having smiled at that level, let me be very serious. When people asked us to find a way of getting to the truth, at one end were those who approached us with great passion and said they would never die happy until so and so is in the dock. That was the truth they sought. What I call the rainbow of the victims sector arrives at the other end with a story that I may have told in Newcastle, in which case I ask forgiveness for repeating it. The story means a lot to me because I knew the family and the person concerned. The mother of a policewoman who was blown to bits in an explosion told us very quietly: “All I want to know is whether she had her dinner before she died.” You would not be human if a simple example such as that did not go through you like the proverbial knife. The truth, therefore, is a wide spectrum from the simple personal question to the person who seeks an investigation.

Since the report was published, there has been widespread debate. I agree with some of Jim Wells’s comments in terms of the rest of the report being lost because of the first so-called proposal. I am speaking as an individual rather than an authority in saying that I fully accept that happened. However, some used that fact as nothing more than an excuse for not reading the rest of the report. In terms of the work done and the sincerity involved, that is inexcusable. Unfortunately he is not in his seat but I hope he hears what I am saying.

The other aspect I wish to raise is that it is of course possible to cherry-pick this report or put it on a shelf to gather dust. One can say the two kangaroos, Eames and Bradley have gone and maybe add “thank God for that”. One can have all those

reactions but I simply ask this Assembly what is the alternative. Has anyone a better idea? What is the other suggestion or the alternative way forward given that, as I said at the outset, that the past will not go away? In Northern Ireland, we have sufficient problems without adding that to the agenda. Therefore, in thanking you personally for the way you have received us, I simply throw out the question of whether you have a better answer or one that would work better than what we have proposed. Thank you.

Mr Denis Bradley: I have to address a very specific question regarding the separation between prosecution and truth recovery. The final 15 pages of the report address this and other issues in detail. Nothing enters into truth recovery until it has been cleared on the prosecution side. If families do not want to enter into the truth recovery process, they can veto it. Families have been given a lot of power to say: “we do not want to enter into truth recovery and even though you are telling us the possibility of prosecution is almost zero, we still want to keep it on the table.” There is blue water between those two situations.

What is the incentive for the IRA, the UVF or anybody else to come forward? People use the South African situation to suggest that an amnesty could be used. We did not have that option and we did not particularly want to put it on the table because it was not where we were going. Some people said this may not be an amnesty now but it will be one in five years’ time. That misses the point. Five years are very important or, rather, seven years given that the commission will require two years to be established and that the HET and the Ombudsman’s office will have done further work within that period. The time comes when society needs to be allowed to move on from the past. Within the five to seven years allotted, much good and important work needs to be done and not only in respect of victims.

One of our main recommendations concerns reconciliation, as May Blood noted earlier, and challenging our society on the perceived idea that the legacy of the past is only important to the victims. It is important to our entire society. Sectarianism is our biggest legacy from the past. People are still finding methods for hating and

hurting each other, being antagonistic, not living or schooling together and refusing to mutually engage. That is part of the legacy we have inherited.

I will be truthful because we are now disappearing. We do not trust the Executive and the Assembly to take on that role at this point in time nor do we think they will do a lot about taking down the massive number of physical walls that exist within our society. A champion is needed in that regard. Perhaps I should not speak for those who work on community relations, but these people are not exactly convinced that the Assembly will take on these tasks. We proposed the need for a new champion or mechanism that would give energy and additional money to that for at least five years.

In regard to the question about the IRA and the UVF, we are told that many people within these organisations would not mind coming forward to clear their consciences. That may be a reason for individuals to come forward but it will not bring their organisations with them. The only people who can bring the organisations are the victims' groups through their respective communities. Willie referred to the enormous pressure put on the IRA to have some integrity on this issue given that it has been calling for truth for a long time. If it does not step to the plate on this, even if it believes it is not perfect, it will be challenged by its own victims.

Nobody, whether from the IRA, UVF, British Army or RUC, is being asked to do anything that would constitute an admission of murder. We are speaking about corporate responsibility rather than individual responsibility. Prosecution and policing are separate issues which require that somebody is charged in the normal procedure. The last 15 pages of our report comprise a complex exposition on that area which, if I may say so, is very well thought out. The person who thought it out is neither Robin nor I but was very good and has tested the proposal. We think it will stand up to the normal legal procedures because it also has to meet the standards set by the European convention.

There is a danger that we will leave you with difficulties or the impression that all

is terrible. An enormous amount of good work is being done in Northern Ireland. I disagree with Ken because I think people are being healed daily. At an individual level, communities are coming together so that one can go to places where British Army members are sitting with RUC and former IRA members and innocent victims. They are telling stories over weekend sessions in places like Fermanagh and Belfast. It is inspiring to see what comes out of such encounters. These people do not change their own perspectives on what happened in the past but they come away with an understanding of the other perspective and have opportunities to form genuine friendships and relationships. They are able to expand their stories to include others.

Our difficulty is that communities have not yet reached the stage where communal stories are being told about their history. That is the area in which we hope much good work will be done over the next five years. You are part of that story. Margaret noted that people would not have sat together in this room ten years ago. Their coming together so that British and Irish and Sinn Féin's, the SDLP's and the DUP's stories could be told allowed for some kind of renegotiation of the past in order to move towards a better, more wholesome and, hopefully, more holy future. Thank you for your participation.

4.45 pm

The Co-Chairman (Rt Hon Peter Hain MP): Having listened to Robin and Denis, I am struck by their tremendous humanity, decency, integrity and courage. I feel a lot better having listened to them and being in their presence. They have played an exceptional role in the politics of the island of Ireland over the past period and I am sure they will continue to do so. Thank you very much for taking up this poisoned chalice. The work had to be done and it will remain unfinished. That is why I ask Niall to say a few words and put a suggestion to you.

The Co-Chairman (Mr Niall Blaney TD): I recall that more than one year ago, the steering committee of this body met Denis and Robin and some of their group in a hotel in Belfast. I was struck by the enormity of the task they faced at that stage. You

will have received an insight into that during our last plenary in Newcastle. I was again struck when the report was published because I did not think its conclusion and content would be as good as they are given the enormity of the task involved. I do not believe anybody could put together a better report on the past. I do not know of another forum where politicians from all sides have so rigorously studied the recommendations of the report. Today's debate was very healthy. Before I make my recommendation, I thank both of you for your co-operation and openness with us. We hope that much of the venom has gone from the chalice and it will not be long until it is no longer poisonous.

My Co-Chairman and I propose that we set up an ad hoc committee under the terms of the Assembly to drive forward the report's recommendations. We are not deciding today the form it should take but we propose that the ad hoc committee will consider the recommendations and decide whether we need to negotiate with the various parties across the floor or if we just need to consult the Governments. We will be guided by you, so I ask anybody who wishes to make recommendations to do so through the clerks. We will probably decide the form which the committee will take at our next steering meeting. I formally propose that we set up an *ad hoc* committee to consider how we can progress the recommendations and the report, rather than allow it to die and gather dust.

The Co-Chairman (Rt Hon Peter Hain MP): Colleagues, is that agreed? I do not want to have a debate on it.

Rt Hon The Lord Dubs: I second the proposal.

Mr Alex Attwood MLA: I have no objection to the establishment of a group to consider the report and decide what should happen to it but, to be clear, my party is still examining the report and has not come to a conclusion in regard to supporting it or otherwise. I have no objection to a group being established, however.

The Co-Chairman (Rt Hon Peter Hain MP): I will take that as unanimous agreement.

I ask you all to acknowledge in the usual way these two fine individuals and the work they have done.

BUSINESS REPORTS FROM COMMITTEES

The Co-Chairman (Mr Niall Blaney TD): We will continue with the afternoon's business as quickly as we can. We will now hear verbal reports on committee proceedings, which I hope will be short and to the point. I call Jim O'Keeffe to give his report on the work of Committee A.

Mr Jim O'Keeffe TD: Committee A is the committee on sovereign matters. It met formally on six occasions during the year, including twice during plenary sessions and four times on working visits.

The Committee's primary interest during 2008 was its inquiry into cross-Border co-operation between police forces. As part of the inquiry, the Committee met Commissioner Fachtna Murphy of the Garda Síochána and Chief Constable Hugh Orde of the PSNI. In December, the Committee met officials from the Northern Ireland Office to discuss matters arising from our inquiry. In January we made further visits to Dublin, Carrickmacross and Newry, and held meetings with the Department of Justice, Equality and Law Reform, and officers from the Garda Síochána and the PSNI.

At our Committee meeting today, we completed our report and dealt with the amendments to it. I hope to present the report at plenary session tomorrow morning.

We also maintained a watching brief on matters related to our previous report on mutual recognition of penalty points. Our rapporteurs, Lord Dubs and Brian Hayes, received an update from the Department of the Environment of Northern Ireland on the mutual recognition of driving disqualifications and penalty points. Lord Dubs has previously updated the Assembly on progress, or lack thereof, on the issue.

Tomorrow, he will give you an indication of his continuing frustration with that lack of progress, and of what he is doing in that regard.

The Committee kept under review matters relating to our earlier report on identity cards. That report was in response to proposals from the UK Government on e-borders and ID cards. We have updates from the Home Office, and we will provide the Assembly with those at the plenary session tomorrow morning. Committee A thinks that that particular issue requires a new, up to date investigation, because of the development of legislation in the UK. We propose to focus on that, the passport requirements and immigration control in respect of those jurisdictions, and we will report to the Assembly on that.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Jim. I call Robert Walter, to give a report on the work of Committee B.

Mr Robert Walter MP: Thank you very much. As our work is outlined in the report, I will be brief. Presently, Committee B has two reports under consideration. One report is on the common European defence and foreign policy, which has been running for some time now. However, we will present an interim report on that to the Assembly tomorrow. The report deals with a fairly sensitive issue, and we are very conscious of that, particularly in regard to a possible second referendum in Ireland in the autumn.

The second report, which we hope to conclude over the next couple of months and to present at the next plenary session, is on the effects of the recession on EU migrants in the two jurisdictions. That report is progressing and we are looking at what we might do in the autumn. A proposal has been made to look at what are called the “regional spaces” in Europe, for example, the Baltic area regional space, and the Danube area regional space, and whether or not our islands, collectively, should be a regional space when it comes to the way in which the EU looks at various policies. Tomorrow, we will bring you up to date on the report on defence and

foreign policy. Committee B continues to prosper.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Robert. I call Margaret Conlon, to give a report on Committee C.

Mrs Margaret Conlon TD: Thank you, Co-Chairman. At the Newcastle plenary session, Committee C agreed its renewable energy report, and decided to commence an inquiry into apprenticeships. On 8 December 2008, the Committee began its inquiry with a visit to Westminster. We toured the Houses of Parliament craft workshops, and we met apprentices and their managers. Members and associate members discussed the subject of apprenticeships, and the process of pre-legislative scrutiny of the draft Apprenticeships Bill, with Alison Fuller, professor of education and work at the school of education in the University of Southampton, and adviser to the House of Commons Innovation, Universities, Science and Skills Committee; Glenn McKee, Second Clerk to that Committee; Barry Sheerman MP, Chairman of the Children, Schools and Families Committee; Kenneth Fox, Clerk of that Committee.

From 22 February to 23 February, the Committee visited Dublin, and plans to continue its inquiry with a visit to Scotland. In Dublin, we were briefed on the Irish apprenticeship model by Professor Brian Norton, the president of DIT; Mr Tony Power, director of apprenticeships services at FÁS; Barbara Kelly, director of awards and standards for the further education and training awards council (FETEC). We hope to be in a position to present our report at the plenary session in October.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Margaret. I call the Lord Dubs to give his report on Committee D.

Rt Hon The Lord Dubs: Thank you, Co-Chairman. At the Newcastle plenary session, Committee D presented its report on the integration of newly arrived immigrants, and that was formally adopted in November.

At that plenary sitting, the Committee agreed to begin an inquiry into the role of

renewables across the various jurisdictions in tackling climate change. In accordance with our terms of reference, we looked at the issue of renewables along with the following elements: the networking across the islands that is already in place or is desirable; the place of the public sector in the renewables debate; and the sharing of good practice and the key hurdles to be overcome in doing that.

We held two evidence sessions: one in January in Edinburgh, which was very useful, and one in March in London, which was fairly useful. In London, the evidence session with the Nordic Council was particularly good. However, the evidence session with some of the UK officials from the British-Irish Council was not useful, because they were not really ready to give us much information. In fact, it was as useless a session as I have ever had. *[Laughter.]*

However — *[Interruption.]*

We asked when they would be ready to give us some evidence. They said that they would be ready in about a year's time, which we thought that was rather a long time.

Subsequently, I had a very useful discussion with Paul Murphy, who is going to give us some evidence that will be much more helpful. I particularly welcome what Paul Murphy said this morning. That will enable us to give much more focus to what we are doing and engage with BIC on the issue, which is positive.

This morning, we also agreed that our next project will be to look at elements of unemployment. I note that Committee C is also looking at that issue, and we will certainly avoid any overlap of its work. Rather, we will seek to dovetail our work, so that it is complementary to those elements which Committee C is considering.

5.00 pm

We will timetable our report on unemployment in such a way that our fieldwork

interviews and so on are done before things close down — as far as British politicians are concerned — for a general election. We are conscious of that. The report will then be ready for the first plenary sitting that will take place after the general election. We want to get the work done before the general election, or else it will drag on forever.

Again, I was delighted with some of the work of Committee D, which Paul Murphy spoke about this morning. That will enable us to give much more focus to what we are doing and engage with BIC in a way that was not possible before.

EVOLVING ROLE OF THE ASSEMBLY

The Co-Chairman (Mr Niall Blaney TD): Thank you, Alfred. We now move on to the evolving role of the Assembly. We will discuss the document that was circulated at the thirtieth-seventh plenary sitting in Newcastle. Do any members wish to comment on that document?

Mr Alasdair Morgan MSP: Events have overtaken some of what is contained in the document since it was published. However, I take the six points that the other Co-Chairman, Peter Hain, made this morning about the things that we will take forward; I very much agree with those.

I have a couple of further points. Once BIC sets up its own secretariat, we should give serious consideration to whether we should also have a permanent secretariat. That is no way meant to disparage the efforts of the people who already work for us or BIC. Many people who work for us and BIC do so part time and have other considerable full-time jobs, which is not the best situation.

If we are to shadow a body that has become more formal and permanent, perhaps we should think along the same lines. Not only should we deal with matters at plenary meetings, but we should co-ordinate the work of our Committees, which

— as Peter Hain alluded to in his six points — will probably be much more important. The steering Committee needs to work out fairly quickly how to take those six points and turn them into practical actions.

For example, if we are going to shadow the work programme of the British-Irish Council, I suspect that the remits of our current Committees are a bit too rigid to adapt readily to that. We need to look at lots of other things and take forward those actions. We also need to set ourselves some timescales for implementing the various points that were made earlier.

The Co-Chairman (Mr Niall Blaney TD): Your points are helpful, Alasdair. The steering committee of this body has the ability to make those changes as it sees fit.

Mr Andrew Mackinlay MP: I regret the fact that there has never been a United Kingdom Prime Minister address the Body, or its predecessor. In my time as a member of the Body, two Taoisigh have addressed it, and, in its history, three have done so. I urge colleagues to invite the UK Prime Minister to address BIPA; it would add prestige to the assembly, and it would allow us to probe him on one or two things.

My second question is directed at the clerk, through the Chairperson. Brian Hayes and I were able to get a motion on the agenda for the previous BIPA sitting, and I am grateful for the follow-up that has been done on that. It vindicates the alteration to our Standing Orders. We could not have achieved that six months ago without the co-operation of the clerks in the various Parliaments, because nothing was circulated until the last minute. The clerks at the time were helpful; in fact, they pushed the envelope of their responsibilities.

We ought to agree formally that if a person is canvassing a motion, the clerks will convey it to collect the signatures. That has always been the impediment, and it is quite a high threshold. Members are not under any obligation to sign a motion, but one will be able to get in the frame if it is agreed that a member initiating a motion

can send it to the clerks, who will relay it to their constituent members. That would be helpful for the future. There was not a motion from Back-Benchers this time, but there might have been, and it is difficult to get that around without the help of the clerks who helped on the occasion when Brian Hayes and I tabled a motion. That process should be regularised.

The Co-Chairman (Mr Niall Blaney TD): Andrew, are you proposing that once a motion is put forward by any member that it is forwarded to all members of the BIPA?

Mr Andrew Mackinlay MP: That is correct. It will not reach the Order Paper unless it has a sufficient number of signatures. I forget what the threshold is, but I think that it is 15 signatures from three Administrations. My proposal means that there will be a pyramid system through which members will know that a motion has been proposed; if they want to sign up to the motion, they should let their clerk know. That is what happened on the previous occasions, but, in fairness to our colleagues, it was new ground. That would be the most fair and effective way of doing it. However, the threshold of a required number of signatures from three Parliaments will still be required.

Question, That the amendment be made, put and agreed to.

The Co-Chairman (Rt Hon Peter Hain MP): I am planning to table an agenda item for the next plenary in Swansea. It seems that we are taking forward the work of this group in a new era. The past has been valuable in building trust, reconciliation and relationships between members of the Body where it did not exist in the 1980s, for instance, when the group was established. We have got to look to the future.

I want to give notice of my proposed agenda item in case colleagues have ideas. This is a time when public spending is under the cosh, and, for reasons that we know, it will increasingly be so over the coming years. During my time as Secretary of State for Northern Ireland, I was aware of situations in which more practical co-

operation across the border and between the two jurisdictions on the island of Ireland could have been demonstrated. For instance, it should not matter what side of the border one lives if they want to access the nearest doctor. That is true also of a further education college, school or any number of public services. Such co-operation is increasing in criminal matters, such as sexual offences and drug dealing. There is an agenda there, which should also include economic co-operation and inter-business co-operation.

Ireland is a small island of just over five million people, and there are huge challenges. I am flagging that up as an agenda item, which is in the spirit of the evolving nature of the group that the paper before us considers.

Question put and agreed to.

Resolved:

That the document entitled 'The Evolving Role of the Assembly', prepared by the Irish delegation, comprising the amended article put forward, be agreed.

Adjourned at 5.07 pm.

TUESDAY, 31 MARCH 2009

The Assembly met at 9.15 am.

PLENARY BUSINESS

REPORT OF COMMITTEE A (SOVERIGN MATTERS): CROSS-BORDER POLICING

Mr Jim O’Keeffe TD: I beg to move

That the Assembly takes note of the report of Committee A on cross-border policing [Doc No 149] and of the conclusions and recommendations of the report, which should be forwarded to both Governments and the devolved Administrations for their comments.

In April 2008, Committee A undertook an inquiry into cross-border co-operation between police forces, with specific reference to the impact of criminal justice laws, North and South, on that co-operation. Members will recall that, at the last plenary session in Newcastle, I presented an interim report on our inquiry, and I am pleased to bring the Committee’s report before the Assembly for consideration and, hopefully, adoption.

Over the past 12 months, the Committee has held a number of meetings, in Dublin, Belfast, London, Carrickmacross and Newry. It met Garda Commissioner Fachtna Murphy; the Chief Constable Sir Huger Orde; Brieghe and Stephen Quinn, the parents of the late Paul Quinn; members of An Garda Síochána and the Police Service of Northern Ireland (PSNI); and officials from the Northern Ireland Office and the Department of Justice, Equality and Law Reform.

Since the Assembly last met in Newcastle, there have obviously been significant and welcome developments with regard to the devolution of policing and justice. In November 2008, agreement was reached between the political parties in Northern Ireland concerning that matter. Earlier this month, the Northern Ireland Bill 2009, which gives legislative form to the agreements of the Northern Ireland Assembly and

the Executive Review Committee, completed all stages in the House of Lords and was approved, unamended, on 12 March 2009.

In the course of the Committee's meetings with the Garda Commissioner and the Chief Constable, it heard that dissident republican groups have been especially active in recent times. That fact was also highlighted in the Independent Monitoring Commission (IMC) report that was published in November 2008.

Earlier this month, regrettably, the dissident groups carried out two attacks, resulting in the murder of two British soldiers and a member of the PSNI. Constable Carroll was, in fact, the first member of the PSNI to be killed since the establishment of the force. In my opinion, those who committed those heinous crimes have besmirched the name of the Irish nation, and all decent people on these islands utterly condemn without reservation those dreadful murders. The Committee will seek to ensure that every possible assistance is given in order to bring the perpetrators to justice.

It is also important to note that, although attacks against the PSNI have increased significantly, there is evidence that many have been thwarted as a direct result of the co-operation between An Garda Síochána and the PSNI. Indeed, the Committee found that level of co-operation to be excellent. Both police forces have worked closely together on many matters, and they are in regular, daily contact on an operational basis.

With respect to specific cross-border cases — such as the Quinn case — the Committee heard about close co-operation and contact between the two police forces. As well as formal co-operation on investigations, the Committee found that there are valuable informal and interpersonal relationships between the two forces.

The Committee specifically considered a number of operational matters, including the efficacy of using joint investigation teams (JITs) — there are two types of investigation, either a joint investigation, which is a formal process, or a parallel

investigation. The Committee heard that the formation of a JIT is an operational decision, and, to date, no such decisions have been taken by either force.

Given that the time that it would take to get a JIT up and running would militate against the use of JITs for active, fluid investigations, such as murder cases, the current practice is to hold parallel investigations into the same case. In our report, however, we point out that parallel investigations are not without drawbacks and can be challenging to both forces, because evidence, suspects and witnesses might be in either jurisdiction.

It is good to note that the two police forces are reviewing their current operational practices, with a view to better aligning those procedures. In fact, they are working on a new procedure manual, which will be agreed North and South and will act as a guide for police officers and prosecutors from both sides of the border on the processes to be adopted in the investigation of cases. For example, the processes of collecting evidence and interviewing witnesses must be carefully handled.

The Committee learned of concerns about the early phases of an investigation with respect to the transmission of exhibits from one jurisdiction to another and with respect to the admissibility of evidence obtained in one jurisdiction in any proceedings in the other jurisdiction. We also came across other complications. For instance, it is remarkable that the serving of a summons, or the transfer of evidence, can take months to complete, sometimes resulting in non prosecution or the deterioration of evidence. Those rather convoluted procedures often involve summonses and physical evidence being sent from Belfast via London to Dublin, and returned using the same route — a process that can take from three to six months and that requires an international letter of request.

Although co-operation among forces in the border region is excellent on an operational level, the Committee heard from officers that officers in one jurisdiction may not pursue alleged offenders across the border, and there have been instances

whereby offenders have evaded arrest by simply crossing into the other jurisdiction. Evidence of effective, informal cross-border co-operation on cases was also given. For example, radio equipment has been exchanged and mobile phones have been used to send text messages. Although those informal mechanisms can be effective, in some instances, the border is used in order to evade arrest. The Assembly should deal with that issue by highlighting the fact that suspects can avoid arrest by crossing the border and by suggesting that the relevant authorities review the situation.

My personal opinion is that the matter is politically sensitive. In Europe, hot pursuits are dealt with under the Schengen Agreement. In light of political sensitivities, following the devolution of policing and justice powers to Northern Ireland and following a review of the present arrangements, a political arrangement between Belfast and Dublin may be more readily put in place. In the meantime, however, the matter must be considered, because there are problems arising from the present arrangements.

The Committee believes that there is merit in examining the list of offences currently covered under the relevant criminal jurisdiction Acts in both jurisdictions. Those Acts were brought in to enable terrorist suspects to be charged in either jurisdiction, irrespective of where the offence took place, and the list of offences reflects those in which terrorist suspects were likely to be involved at that time. The list goes back to the middle 1970s. We believe that the list could be extended to other offences, including serious road traffic offences, sexual offences, assault, theft, money laundering, fraud offences and so on. We recommend that those matters should also be examined at this stage.

In relation to exchanges, the Patten Report led on to the 2002 'Intergovernmental Agreement on Police Co-operation', and that provided for three levels of movement between the two forces. First, there are personnel exchanges for all ranks, without policing powers and generally for short terms — a month or three months, but not exceeding a year. The second one is secondments for ranks from sergeant to chief superintendent, with policing powers for up to three years. There are also lateral

entries: the permanent transfer of officers at ranks above inspector and under assistant commissioner.

We met with officers who had participated in short-term exchanges. From 2005 to 2008, there were 55 personnel exchanges, and we found that officers' experiences were generally positive. A further 20 are planned for this year. We also found that there are a number of impediments in relation to lateral entry by permanent transfer. A significant obstacle to lateral entry is the transferability of pensions. Differences exist between the two forces with regard to pension accrual times and other conditions. Those difficulties are relevant not just to police pensions, but also to other public-sector workers who move from the North to the South, and vice versa.

However, those pension issues do not affect secondments. During an officer's secondment, his or her pension remains the responsibility of the employer. Seconded officers, unlike those on short-term personnel exchange, effectively become members of the force to which they are seconded, exercising full powers, rights, duties and obligations. Nevertheless, there has not been any great interest in long-term secondments — for one year or more — between the forces. Only one PSNI officer has applied for a secondment to An Garda Síochána, and no member of An Garda Síochána has applied for a secondment to the PSNI.

We also heard that having to relocate one's family is often a disincentive for many officers when considering secondment. We found that the secondments on offer have only been at the rank of superintendent. Committee A suggests that there might be a greater take up of secondments if they were to be extended to more junior ranks. In addition, efforts should be made to incentivise secondments. Presently, seconded officers are given positions equivalent to the ranks they hold in their own force. There is a lot to be said for linking secondment to promotion — either serving at a higher level in the other force, or having secondment considered as a positive step towards promotion on return. That is one of our recommendations.

9.30 am

We also considered the full interoperability between radio communications systems. It is good to see that the barracuda digital radio system — a terrestrial-trunked radio (TETRA) system — is being rolled out all over Northern Ireland. In the South, TETRA technology is being rolled out in the new national digital radio services. Arrangements have been made for full interoperability, which will be helpful in border policing. We understand that full roll-out, and consequently full interoperability, will take a couple of years.

Generally, the Committee was pleased with the co-operation it found between the two forces, and its recommendations are listed, from A to J, at the back of the report. We recommend the adoption of the report.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Jim, for that comprehensive briefing on Committee A's report on cross-border policing. Before I call other members speak, I want to inform members that, thanks to Jim Wells's sterling work yesterday, two of our unionist colleagues — Lord Browne from the DUP and Danny Kennedy from the UUP — are en route to the hotel in order to address us. I am not sure exactly when they will arrive, but they are not too far away. Depending on their arrival time, which may be after the next debate or, perhaps, when we have reached the end of the agenda, both gentlemen will brief the Assembly. If we have sufficient time, we might be able to pose a few questions.

The Baroness Harris of Richmond: England uses the police national computer (PNC). Will interoperability between the gardaí and the PSNI extend to swapping information of that nature?

Mr Jim O'Keeffe TD: I am not sure how detailed the information will be. We have an arrangement whereby any contribution will be noted. The Vice-Chairman, Michael Mates, might be able to respond to the debate. The Baroness will probably

be aware that Colonel Mates is an expert on intelligence matters — he knows all the answers. *[Laughter.]*

The Co-Chairman (Mr Niall Blaney TD): This is a demonstration by the old hats in the Committee of the good relationships that have been developed over the years.

Mr Seymour Crawford TD: I apologise for being late for the beginning of Jim's contribution to the debate. I want to put on record how pleased we are in the border area that the PSNI and the Garda Síochána are working together. For the first time in our history, the two forces made house-to-house visits in south Armagh in a difficult situation after the murder of Paul Quinn, and that shows how the system has improved and matured.

Nevertheless, it appears to be more difficult to co-ordinate the structures in order to tackle ordinary, minor incidents, such as the carry-on involving boy racers who use a new stretch of road from Clones to Cavan that lies in Northern Ireland, but which is difficult for the PSNI to police, because, apparently, a regulation states that the PSNI must obtain permission to move in to that area.

I hope the two forces co-operate in order to improve on any area that can be improved. There should be no no-go policing areas along the border, which have been the case for policing for many years. People in all areas must realise that they are subject to a proper policing force, and that would make it much easier to contain major and minor incidents.

Dr Rory O'Hanlon TD: It is encouraging to see the improvements in policing since the PSNI was established. There is much more confidence now than there was. In some areas such as south Armagh, normality is not fully restored yet. Nevertheless, it was obvious from our investigation that the level of co-operation between North and South could be improved in a number of areas.

One such area, as Jim said, is in the transferring of exhibits for proceedings in

criminal cases. Transferring a simple exhibit from the North to the South for a prosecution can take up to six months. The procedure dictates that it must go through the Home Office in London and then back to Belfast. All aspects of joint co-operation should be looked at as a matter of urgency to see how efficiency in dealing with serious crime can be improved.

The other issue is secondment. A good example of the level of co-operation that is already possible between the two police forces is the investigation into the Paul Quinn murder in south Armagh. There is a case to be made for seconding someone from the gardaí to south Armagh in order to further ensure that normality is restored as rapidly as possible.

The Co Chairman (Mr Niall Blaney TD): I concur with those words, Deputy O'Hanlon. I am aware of secondments between both organisations, in County Donegal and across the border in Derry and Strabane, and I hope that such arrangements develop right along the border. Michael, can you wrap up?

Mr Jim O'Keeffe TD: In case Michael cannot fully address the point raised by Baroness Harris, information sharing is, in fact, dealt with under Prüm Treaty. In the European Union, there is a move towards greater cross-border co-operation, which will involve the exchange of information on fingerprints, DNA data and vehicle-registration data. We fully support that, and I anticipate that, allied to that EU approach, the two policing systems will ensure that that exchange of intelligence information is fully implemented when the systems are operational. In the meantime, our evidence indicates that information is regularly exchanged between the North and the South on an informal basis.

Rt Hon Michael Mates MP: The Chairman of Committee A has stolen most of my speech. *[Laughter.]* Nevertheless, I endorse what he said when presenting the report. Those of you who have not had the chance to read it in full will find that it contains some robust criticisms, particularly of the transfer of evidence, which is a ludicrous situation. For instance, in order to transfer evidence, it might be necessary

for it go from a police station in Armagh to Belfast to London to Dublin, and then back to London, Belfast, Armagh and, if you are lucky, across the border to Monaghan. That is ridiculous, and I hope that people read the report and recognise that the system must change, because criminals are getting away with a lot.

Co-Chairman, I hope that it is in order to propose an amendment to the motion, arising from yesterday's debate, because it does not contain an instruction to forward a copy of the report to the British-Irish Council. I agree that it should be sent to both Governments and to the devolved Administrations, but it should also be sent to the British-Irish Council, because this issue is just the sort of thing that it ought to be grappling with when it next meets.

I beg to move the following amendment: Leave out all after "Governments" and insert

“, the devolved Administrations and the British-Irish Council for their comments.”

As other contributors said, co-operation between the Garda Síochána and the PSNI improves every day. More significantly, it is not just Committee A and the police forces that are saying that co-operation is improving; the Quinn family also told us that it has been satisfactory — they found no fault in the co-operation between the two police forces — and that means much more than Chief Constables telling us that co-operation is very good.

We will continue to monitor the situation, and we will follow up on the criticisms that we have made in order to ensure that something is done. If nothing is done, I assure Members that I, and my vigorous Chairman, will make sure that tails are pulled in order to get the desired results. Things must improve, and our report clearly states how that can best be done.

Question, That the amendment be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That the Assembly takes note of the report of Committee A on cross-border policing [Doc. No. 149] and of the conclusions and recommendations of the report, which should be forwarded to both Governments, the devolved Administrations and the British-Irish Council for their comments.

REPORT OF COMMITTEE B (EUROPEAN AFFAIRS): COMMON DEFENCE AND FOREIGN POLICY INTERIM REPORT

Mr Robert Walter MP: I beg to move

That the Assembly takes note of the interim report of Committee B on Common Defence and Foreign Policy [Doc. No. 153].

Committee B has been dealing with this report for a little while now. The Committee began its deliberations on the report under my predecessor as Chairman, and the membership of the Committee has changed somewhat during that process.

In the report, the Committee set out to address the misconceptions of both critics and supporters of the European security and defence policy (ESDP). ESDP is not a common European territorial defence policy or, as the French would call it, “defense Europe”. It is not an embryonic European army. Analysis of the policy satisfies objections on both sides of the Irish Sea and addresses reservations about where the policy is and where it might lead.

For the Irish point of view, I refer Members to paragraph 4 of the report:

“Ireland’s policy of neutrality has a number of distinctive features, and there is a triple lock on the deployment of members of the Irish defence forces, whereby a request to deploy troops must be received from the United Nations Security Council, approved by the Irish Government and ratified by Dáil Éireann.”

That sums up what the ESDP is; it is about the kind of peacekeeping, peace-enforcement missions that are envisaged will emanate from United Nations requests.

9.45 am

As far as the UK is concerned, territorial defence in the international arena is based on our membership of NATO — particularly article 5 — to which Ireland is not a party. It is a very different concept of defence. Some might describe it as aggressive, or offensive, defence; however, defence policy in the United Kingdom is based on NATO membership and on our ability to project foreign policy beyond our shores, under the umbrella of the Atlantic alliance.

None of that is changed by the Lisbon Treaty, which specifically restates the intergovernmental nature of ESDP and the requirement for unanimity in joint action. In addition, it restates that deployment is, in effect, voluntary and that the costs associated with any deployment falls where they lie. I repeat; this is not an embryonic European army, and I hope that that satisfies concerns on both sides of the Irish Sea.

In preparing the report — which is not quite complete — we had meetings in London, Dublin and Brussels. We met Ministers, and at our most recent meeting in Dublin we met Dick Roche, the Minister for European Affairs. In Brussels, we met Irish and British representatives from the European Union's Political and Security Committee, and, at NATO, we met the then head of the EU military staff, the Director of Defence Policy at the European Union and so on.

The report is timely. Last year, the European Union launched its largest ever military operation, in Chad and the Central African Republic. The operational commander is Irish — General Patrick Nash — and, from his headquarters in Paris, he directed the operation, which included deploying a significant number of Irish

troops to Africa on a mission in response to a United Nations request to the European Union for aid and assistance in keeping the peace in the region of the refugee camps that had been established as a result of the conflict in Darfur.

Wearing a different hat, I visited that mission in January 2009. It was a well-run and effective mission, and when I was there I saw the preparations for the handover back to the United Nations. Since 15 March 2009, the force, which still contains Irish troops, has been back under United Nations control. In that context, the European Union provided an essential, UN-requested facility.

Ironically, the other two military operations being carried out under ESDP are commanded by senior British officers. In Bosnia, operation Althea is under the command of General John McColl, and, off the coast of Somalia, operation Atalanta is an anti-piracy mission that is commanded by Rear Admiral Phillip Jones. The Atalanta mission is run from Northwood Headquarters outside London, and the Althea operation is run from NATO Headquarters — Supreme Headquarters Allied Power Europe (SHAPE).

I do not want to suggest that the ESDP is just a British and Irish conspiracy within the European Union. However, I want to emphasise the fact that both nations are wholly engaged in the battle-group concept. Ireland was part of a Nordic battle group, which was never deployed, and, last year, the United Kingdom had its own battle group, which was never deployed.

The report is a work in progress. In the near future, we plan to meet British defence Ministers, after which I hope that we will be able to produce a final report in time for our next plenary meeting. However, I emphasise that the report seeks to demonstrate that European defence and foreign policy is neither a threat to Ireland's neutrality, nor is it a threat to Britain's commitment to NATO. In fact, it provides a different aspect of defence and foreign policy, to which electors on both sides of the Irish Sea can subscribe.

Mr Noel Treacy TD: I endorse what the Chairman said, and I pay tribute to him for his great work and for the leadership that he has given to the Committee. I also pay tribute to all the Committee members for pulling together the report. I endorse everything that the Chairman said, and I reassure everyone that the whole purpose of the ESDP is to ensure moral responsibility within the European Union.

Going back to 1998, the European Union had no legal capacity to take action in relation to the genocide in Bosnia and Herzegovina and Srebreniza disaster; it stood idly by during that terrible tragedy in Europe. However, as a result of the Saint-Malo summit, under the leadership of the United Kingdom and with the co-operation of France, Ireland and all other member states, it was felt that something needed to be done, so that if a similar threat of genocide ever occurred again Europe would be in a position to respond in a proper manner. There is no concept, or genesis, of a European army. Each sovereign, member state of the European Union will retain the right to control its own military activities. As members of the European Union, each state will be party, and will have the opportunity to consent, to the various actions to be taken in the interests of the ESDP. Member states have the privilege of deciding whether to opt in or out.

The Lisbon Treaty, which is critical for the European Union and which has yet to be ratified by Ireland, provides the legal right for such actions, so that, in the future, there will be no doubt about the capacity of the EU to respond consensually to differing situations, through members' activities co-ordinated under the ESDP, and to fulfil that goal by responding to whatever the needs are at any particular time.

I pay tribute to all the member states and in particular to the partnership between Ireland and the UK. We have always been even-handed in our attitudes, ensuring that we make our own contributions, based on our capacities and our track records of involvement and engagement under the flag of the UN in different parts of the world over the years, and taking account of the fact that we are different sovereign states, with different capacities, different requirements and different histories. Yet, we are able to co-operate under the flag of the European Union,

playing our respective roles in fulfilling its goal of protecting its citizens and ensuring that we never have to witness again the tragedies of the past.

I look forward to the final report, and, again, I pay tribute to the Committee Chairman and members for their commitment to producing what we have heard about today.

The Baroness O’Catháin OBE: Although I have only had time to skim through the report, I am taken with the fact that both speakers stated that the ESDP is not the start of an insidious, underground European army. That raises a difficulty in my mind, because, certainly in the House of Lords, there have been several questions concerning a European army, and they have been dealt with from the Government’s Dispatch Box. Nevertheless, there are still strong feelings on the subject among many Members of the House of Lords. Is there a mechanism whereby the Assembly’s reports might be sent to the House of Lords, or is there anyone in the secretariat who could keep an eye on questions arising in the House of Lords? That must also happen in the other devolved institutions — the hare is running and it needs to be stopped.

The Co-Chairman (Mr Niall Blaney TD): I believe that all reports are forwarded to both Governments. Is that adequate?

The Baroness O’Catháin OBE: I am sorry, but it is not adequate. We do not have joined-up reporting arrangements in Westminster. Mr Walter is nodding his head in agreement. There must be a way to clear that blockage.

The Co-Chairman (Mr Niall Blaney TD): To be helpful, would you like to make a request that the report goes to the House of Lords?

Rt Hon Michael Mates MP: It is always possible.

The Baroness O’Catháin OBE: I do not know. I shall bowl this one straight back to

Mr Walter?

Mr Robert Walter MP: As Michael Mates just said, it is always possible for the House of Lords to debate the matter, perhaps as the subject of a Starred Question. It might be good if we did send our report to the appropriate Committee. The European Union Committee, which was, until quite recently, chaired by Lord Roper, deals with security matters.

Mr Noel Treacy TD: I support what the Chairman said, and I appreciate the point that Baroness O’Catháin raised. That hare has been running here, too, and it may run again next year. We are hoping to catch up with it fairly soon, and deal with it.

A Member: Eat it.

Mr Noel Treacy TD: Eat it. Gobble it up. In yesterday’s debate, pertaining to the Assembly’s annual report, I suggested that final reports — not interim reports — should be referred to the various Committees in the UK and Ireland. In Ireland, a report such as this should go to the Joint Committee on European Affairs, the Joint Committee on Foreign Affairs, and the Joint Committee on Justice, Equality, Defence and Women's Rights. Consequently, no one could be in any doubt about where we stand on particular issues, and in future situations, no one could say that they had not been informed about the Assembly’s thinking on any matter. If we go down that road, a lot of fears will be allayed and information will be transferred to a wider political membership, and that will help us all to achieve common ground in order to go forward together.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Noel. Under our new rules and regulations, reports can be sent wherever Members request that they to be sent. There is no problem with that. In addition, our reports can be discussed in any of the Parliaments or Assemblies, or at Committees of those institutions. That is allowed within the rules. However, drawing attention to those reports is up to individual Members of each Parliament or Assembly. Obviously, that is not a matter for us.

Nevertheless, if Members request that reports be sent to any Committee or Assembly, or anywhere else, that would not be a problem.

10.00 am

Mr Noel Treacy TD: Considering the European army situation in a broader way, the European Union and its component members do not have the resources to create a European army, nor is there any desire to do so. The European Union is a mechanism whereby member states can co-operate in their own interests, and that is the ethos under which this whole situation evolves.

Question put and agreed to.

Resolved.

That the Assembly takes note of the interim report of Committee B on Common Defence and Foreign Policy [Doc No 153].

RESPONSES TO THE RESOLUTION ON INTELLIGENCE RELATING TO THE OMAGH BOMBING

Mr Andrew Mackinlay MP: I beg to move

That the Assembly takes note of the responses of the Irish Government and the United Kingdom Government to the resolution adopted at the Thirty-Seventh Plenary Conference on Intelligence Relating to the Omagh Bombing [Doc 143].

I am pleased to move this motion, which relates to the Secretary of State for Northern Ireland's letter of 4 March to the Co-Chairmen. At the last plenary session, Deputy Hayes and I proposed that the Assembly ask for the disclosure of information that might exist in GCHQ and other intelligence services relating to the perpetrators of the Omagh bombing. To be fair, the Secretary of State's response is pretty full.

In the United Kingdom, the debate about whether evidence gained from eavesdropping and listening using technology is admissible in United Kingdom courts is ongoing. Although it is safe to say that that debate has not been concluded, presently, there is a presumption against using such evidence.

Obviously, that is frustrating for the Omagh families. On the other hand, the Prime Minister has instigated the inquiry by Sir Peter Gibson, the Intelligence Services Commissioner, who seems to have done a pretty forensic job on the information that was available. Coupled with that, the Omagh families had a High Court hearing in which the judge considered whether he could, and should, instruct that the information that was available to the British intelligence and security services should be disclosed.

Having read the letter, I conclude — with some reluctance — that that is about as far as we can go. Furthermore, there is probably no evidence being withheld that could advance the cause and interests of the victims' families. On that basis, I propose that we note the motion. Nevertheless, that demonstration of the Assembly's interest in the matter has been a worthwhile exercise.

The Co-Chairman (Mr Niall Blaney TD): In the interest of moving our agenda forward, and being conscious of the fact that we have two speakers coming on board, I shall put the Question.

Question put and agreed to.

Resolved:

That the Assembly takes note of the responses of the Irish Government and the United Kingdom Government to the resolution adopted at the Thirty-Seventh Plenary Conference on Intelligence Relating to the Omagh Bombing [Doc 143].

RESPONSES TO PREVIOUS COMMITTEE REPORTS

COMMITTEE A: ID CARDS AND THE COMMON TRAVEL AREA

Rt Hon Michael Mates MP: I beg to move

That the Assembly takes note of the additional information furnished by the United Kingdom Government in respect of the report of Committee A [Doc No 119] entitled ID Cards and the Common Travel Area [Doc 144].

In April 2006, shortly after the British Government said that they were going ahead with the introduction of ID cards, the British-Irish Inter-Parliamentary Body published a report on the implications to the common travel area (CTA). As Members know, the British Government proposed that the scheme would initially be introduced on a voluntary basis. After 2010, however, it is intended that anyone who applies for a passport will automatically be issued with an ID card.

There are no plans to introduce ID cards in Ireland. It has been suggested that the introduction of ID cards in Britain would inevitably mean that Ireland must follow suit. However, much will depend on the detail of British proposals, particularly the extent to which they would impact on Irish citizens who live in, work in and travel to Britain.

From an Irish perspective, there are a number of issues, which fall into three main categories: the implications for Irish citizens in GB or Northern Ireland; consistency with the Good Friday Agreement; and movement by Irish citizens in the common travel area. We concluded that the potential implications from an Irish perspective — which are unique to the Irish-British situation — were not considered in any great detail prior to the enactment of the British legislation. Moreover, the introduction of British ID cards — in tandem with other initiatives such as e-borders — has the potential to significantly affect the operation of the common travel area that exists between Ireland and Britain.

We recommended that the Governments should: continue to engage in dialogue and consultation, with a view to resolving any anomalies; formulate the detail, and the implementation, of their ID proposals to ensure that the integrity of the common travel area is maintained; and, when developing the e-borders initiative, give proper consideration to any possible impact on the operation of the common travel area.

Any moves to introduce similar proposals in Ireland should also consider the implications vis-à-vis the Irish-British relationship and the position of Northern Ireland residents in the CTA. In addition, future developments with regard to identity cards and/or similar documents in Ireland and Britain should, in so far as is practical, aim to achieve compatibility and interoperability across borders.

Since 2006, we have kept those matters under review, and the UK Government have made further responses to our report, specifically focussing on the implications for the common travel area. My Chairman and I have written to our respective, relevant Ministers, asking for an update on the introduction of the e-Borders scheme. The British Government remain committed to reforming the CTA, and the Minister told us that the current operation of the CTA, which is based on the principle of movement without control, regardless of nationality, cannot continue due to the risks of illegal immigration and lost revenue.

Later last year, we were told of the Government's intention to conduct immigration controls on passengers travelling by air and sea between the UK and Ireland and to conduct intelligence-led enforcement operations on the Northern Ireland side of the border. Last week, Phil Woolas, the Minister of State for borders and immigration in the Home Office, provided a further update in the form of a letter to the Co-Chairpersons, in which he said that the Government would use the Borders, Citizenship and Immigration Bill, which is going through the House of Lords, to define their new powers in the CTA. He said that, under the scheme, all persons will be required to prove their identity with a passport or an ID card and that non-European economic area nationals will be subject to additional immigration checks.

Furthermore, there will be no change to the regulations that govern travel between Crown dependencies and the UK.

Yesterday, Committee A agreed to hold a further inquiry into the matter, because we want to consider the progress that has been made and to widen our scope, particularly with respect to the implications that the new arrangements might have on immigration. I commend the motion.

Mr Andrew Mackinlay MP: I draw Members' attention to document 144 — to which Michael Mates has already referred — the undated reply sent to both Co-Chairmen from our Immigration Minister, Phil Woolas, on the review of the CTA. In the small print, there is some cause for concern, particularly on page 2 where he says:

“we will consider increasing ad hoc immigration checks on vehicles on the Northern Ireland side of the land border to mitigate the displacement of abuse.”

I do not know what “displacement of abuse means”. That statement is full of potential for aggravation, which we know can often escalate disproportionately when people are stopped in that way in that jurisdiction. It is also unnecessary because if one supports — even reluctantly — the notion of stringent checks, which the legislation envisages, when people are coming from Great Britain to either the Irish Republic or Northern Ireland, no sensible case can be made for ad-hoc immigration checks on the Northern Ireland side of the land border. One can imagine the immense, disproportionate and unnecessary aggravation that such a shibboleth would cause to UK Border Agency officials — not the PSNI — when conducting checks.

10.15 am

Some aspects of the letter should be welcomed. For instance, it floats the sensible idea that if I bring a guest — who may, or may not, need a visa — from

London to Northern Ireland, and I want to show them Westport in Mayo, they would not be committing an offence by not having a visa for the Irish Republic, which they would under the present arrangements. A common visa system to allow people from outside the common travel area to enter the Irish Republic or the United Kingdom should, ipso facto, be good enough for both jurisdictions. That is the sensible way forward; it would be foolhardy in the extreme to have such ad hoc, and rather casual, immigration checks, except in the most extreme circumstances.

In any event, the Border Agency would not take the lead on intelligence-led checks if they were intended to combat crime. Everyone appreciates the value of carrying out checks to combat terrorism or to detect the perpetrators of some recent outrage, but they cannot understand why the UK Border Agency should carry out checks just inside Northern Ireland. That is bonkers, and the Assembly should indicate that that is its view. When we leave here, we should raise that point in our respective Parliaments, before daft decisions are made. To complete the picture, such legislation is going through the United Kingdom Parliament, so we must temper it before bad and stupid decisions are made.

The first paragraph on the third page of the letter from Phil Woolas, the Immigration Minister, contains a good suggestion. There should be mutual recognition of both nation's visas, which should operate on the same framework and to the same standards. That is common sense; however, the other proposal is not. It has all the chemistry for aggravation, which could lead to disproportionate reactions.

Mr Jim O'Keeffe TD: There have been developments since we produced our last report three years ago. At that time, we raised some of the issues that Michael Mates mentioned earlier. Those developments have focused on a passport requirement and on a more targeted approach to immigration-control.

With respect to the passport requirement, it seems clear that the intent is for everyone — including British and Irish people — to prove their identity and

nationality with a passport or a national ID card. The Republic does not have national identity cards, and I am not sure about the state of play in the UK. However, it looks like the situation will become fixed in the future.

The latest response from the Home Office refers to the principle whereby, once a person has been granted leave to enter one part of the common travel area, he or she will not normally require leave to enter another part. Our early investigations indicate that that principle was not working in practice. For example, people with a visa that allowed them to enter Dublin were unable to go to Belfast on the same “ship”, as it were. Therefore, Committee A should resurrect its previous report, consider and review the latest developments, and produce an updated report in time for the next plenary session.

Mr Robert Walter MP: The Assembly should send a strong message about this matter to both Governments, because most of us object to those developments. The common travel area does not appear to be operating as a mini-Schengen. In the rest of the European Union, the Schengen Agreement creates a common travel area, with common visa requirements. The provisions indicate that the UK and Ireland will, in effect, operate separate regimes. In practice, that would imply the introduction of border checks on flights from Derry to Dublin and on the ferry that operates from Co-Chairman Niall Blaney’s constituency on the sea route across Lough Foyle. I am not sure whether Mr Blaney’s constituents are necessarily up for that yet; however, the Assembly ought to seriously consider the matter. Initially, the Assembly should propose that the UK Government, in co-operation with the Irish Government, look at operations in the area covered by the Schengen Agreement and try to replicate those for the common travel area.

Hon Stephen Charles Rodan MHK: In a similar vein, I share the concerns expressed by Andrew Mackinlay and Robert Walter. Document 144 clearly states the new measures to verify the identities of UK, Irish and Crown dependency nationals on air and sea routes. Furthermore, at the bottom of page 2, the letter states that occasional, risk-based police, customs and immigration enforcement activity will

take place as required on routes between the Republic of Ireland and Northern Ireland and on routes between Crown dependencies and the UK. It appears that a default position is being established, whereby, for intra-CTA travel, people will be required to carry, or register for, passports in order to avoid the potential for difficulties on sea and air routes. That, combined with the uncertain nature of the personal information that will be required to be transmitted, gives the potential for concern. The apparently indiscriminate collection of the personal information that will be required could be used, along with travel details, to detain people. The UK Border Agency will have the power to detain people for three, or six, hours — it is not quite certain how long. With respect to crime prevention, there is a concern that unpaid parking fines, for example, could be legitimate grounds for detaining somebody on an intelligence-led risk-based assessment.

The Assembly must carry out a lot more work in order to satisfy itself that there will be unrestricted internal travel for CTA residents, because it is evident from document 144 that people may have to carry documentation at all times in order to protect their positions.

Mr Seymour Crawford TD: I endorse what Jim O’Keeffe said. In Ireland, we do not have a national identity card, and, therefore, we will run into serious problems. When people have to travel in a hurry — for example, due to family illness or bereavement — air carriers, such as Ryanair, will not facilitate Garda stamped and signed photo-identity cards. Ryanair insists on passengers having full passports. That is already a problem, apart from what is indicated in the document. I hope that every effort will be made to minimise the effect of those proposals and to ensure that commonsense prevails.

Mr Noel Treacy TD: This is an important matter, because, over the years, the common travel area has been a successful structure for these islands. When the Schengen Agreement was debated in the European Union, we were able to ensure that we were not party to it, based on the strength of the common travel area. We must take the matter up with our respective Governments and relevant Ministers, in

order to ensure commonality in a consensual process that does not reduce the importance of the common travel area to all these islands.

The Co-Chairman (Rt Hon Peter Hain MP): It appears to me that we need to reconsider this matter. If it is acceptable, I suggest that Committee A, in co-operation with the secretariat, Niall and me, looks at the matter again. We will not necessarily have to meet — it could be done by email. Perhaps Andrew Mackinlay — who is on top of the detail — might draft and circulate a response to any interested colleagues. In addition, I will write, on behalf of the Assembly, to Phil Woolas outlining the concerns that have been raised. The acting Irish ambassador to London and the UK ambassador to Dublin are here and have been listening to the discussion. We need to ensure that the two Governments are aware of the issues that have been raised. Is that acceptable?

Members indicated assent.

Question put and agreed to.

Resolved:

That the Assembly takes note of the additional information furnished by the United Kingdom Government in respect of the report of Committee A [Doc No 119] entitled ID Cards and the Common Travel Area [Doc No 144].

COMMITTEE D: THE INTEGRATION OF RECENTLY ARRIVED MIGRANTS INTO NORTHERN IRELAND, IRELAND AND WALES

Rt Hon The Lord Dubs: I beg to move

That the Assembly takes note of the responses of the Irish Government, the

United Kingdom Government, the Northern Ireland Executive and the Isle of Man Government to the Report by Committee D on the Integration of Recently Arrived Migrants into Northern Ireland, Ireland and Wales [Doc Nos 145, 146, 147, 150 & 152].

The responses that we have received are welcome. Members will recall that we presented the report at the last plenary meeting, placing emphasis on issues such as proper migrant statistics, English-language training and protection of migrant workers who may be being exploited due to their weak position. We have had handsome and helpful responses from two Departments of the Irish Government. Some of those responses emphasised existing safeguards and others indicated that those areas that will be looked at again, which is proof that the exercise was worth doing. More responses are still to come in, and we will keep the matter under review.

Mr Johnny Brady TD: I, too, would like to be associated with what Lord Dubs just said. As we stated in the report, we had some successful meetings and we met a lot of people. The responses that we have received are welcome, particularly those from Departments. One of those Departments is working on an employment equality Bill, which will provide comprehensive protection against employment discrimination on the grounds of an applicant's culture, race and so on. In addition, the Department provides helpful information packs. As Lord Dubs said, the enormous number of teachers who have been appointed to teach English here is welcome. The report has been a great success, and our work has provided a lot of information that we did not know was there.

Question put and agreed to.

Resolved:

That the Assembly takes note of the responses of the Irish Government, the United Kingdom Government, the Northern Ireland Executive and the Isle of Man

Government to the Report by Committee D on the Integration of Recently Arrived Migrants into Northern Ireland, Ireland and Wales [Doc Nos 145, 146, 147, 150 & 152].

COMMITTEE C: RENEWABLE ENERGY EXCEPT NUCLEAR

Mrs Margaret Conlon TD: I beg to move

That the Assembly takes note of the responses of the United Kingdom Government, Northern Ireland Executive and the Isle of Man Government to the Report by Committee C on Renewable Energy except Nuclear [Doc Nos 148, 151 & 154].

I welcome the fact that we have received comprehensive responses from the Northern Ireland Executive and the Isle of Man Government. Both are in broad agreement that the renewable-energy sector will play an even greater role in the future and that, although all energy sources have a role to play, we cannot depend on a single energy source to meet our needs. The fact that we purposely excluded nuclear energy is not intended to suggest that it will not necessarily have a role to play future. Perhaps, we will reconsider it in the future. Nevertheless, I welcome the responses, and more may follow.

Question put and agreed to.

Resolved:

That the Assembly takes note of the responses of the United Kingdom Government, Northern Ireland Executive and the Isle of Man Government to the Report by Committee C on Renewable Energy except Nuclear [Doc Nos 148, 151 & 154].

NORTH/SOUTH CO-ORDINATION OF DRIVING PENALTIES

Rt Hon The Lord Dubs: Brian Hayes and I have been rapporteurs on penalty points for more years than I care to remember, and it looks as though the issue will drag on to eternity before it is resolved. We had no idea that it would become such a complicated issue. I could also talk until eternity on the subject, but I will not do so now.

To remind members of what has happened, we thought that the simple process would involve co-ordinating penalty points between Northern Ireland and the Republic of Ireland. However, when we set out on our investigation into the subject, we discovered that drivers who had been disqualified in Britain, even for serious offences, were able to drive in Northern Ireland, and vice versa. We had not even achieved co-ordination on that point. That was astonishing; however, that situation has now been resolved.

10.30 am

Secondly, we discovered that a driver who had been disqualified in Britain was not disqualified in Ireland. That situation is being resolved, and, before too long, we are hoping to move on to the issue of penalty points.

In light of Paul Murphy's helpful comments about the British-Irish Council, we need to press the council to take the subject on board. We are already involved with BIC, and we had helpful discussions with one of its Northern Ireland officials, Donald Armstrong. If the Assembly agrees, I would like to continue to push the matter with BIC; otherwise it will drag on for ever.

The Co-Chairman (Mr Niall Blaney TD): It gives me great pleasure to welcome Lord Browne of Belmont and Danny Kennedy to the top table. They have just rushed through the front door. You are most welcome to Donegal to address the plenary meeting. Danny has been an MLA for Newry and Armagh since 1998. He is deputy

leader of the UUP and a member of Newry and Mourne District Council. Lord Browne of Belmont is an MLA for East Belfast, a Member of the House of Lords for the past three years, a member of Belfast City Council since 1985 and a former lord mayor. I am delighted to have you in our midst, and I invite each of you to give a short address, after which I will try to fit in a short question-and-answer session.

[Applause.]

The Lord Browne of Belmont MLA: Good morning, ladies and gentlemen. I am very pleased to be at the conference this morning and I hope that I will be able to contribute to the useful work in which you have been engaged.

I am old enough to remember the darkest days of the troubles in Northern Ireland, which I am sure all of us here hope have been left firmly in the past. However, the brutal murders of Constable Stephen Carroll and Sappers Mark Quinsey and Patrick Azimkar have been a stark and tragic reminder of the dark days of the 1970s and 1980s. The contrast between those who were murdered and those who took their lives cannot be clearer. On the one hand, we had two young soldiers, preparing to serve their country in Afghanistan and enjoying a simple home comfort before they left, and a police constable, serving the entire community in Northern Ireland, answering a call from a distressed homeowner. On the other hand, we had vicious cowards who used the cover of a pizza delivery and a phone call to the police about antisocial behaviour to carry out three brutal murders.

Those cowards do not represent anyone in Northern Ireland or, indeed, in the Republic of Ireland, but are part of a small group of fanatics who are determined to drag Northern Ireland back into the past. My colleague in East Belfast, and First Minister, Peter Robinson, summed it up in the Northern Ireland Assembly when he said that the murders had been a challenge issued to the entire community and that the answer to the challenge must:

“be loud and clear: we are not turning back.”

There is a generation of younger people growing up in Northern Ireland who do not remember what it was like to encounter police checkpoints on the roads, or to shop in town centres that were enclosed by security barriers. We have managed to take Northern Ireland forward in recent years, so I hope that the recent atrocities will remind us that reconciliation is a difficult process, and that it is important not to take a peaceful Ulster for granted.

Events such as happened as recently as yesterday, when we witnessed security alerts across Belfast, are clearly further attempts to disrupt everyday life. Bomb threats and vehicle hijackings are the actions of groups who are determined to impose their warped views of reality on a community that has clearly demonstrated at the ballot box that it is no longer prepared to tolerate the use of violence as a political weapon. I am sure that all of us would urge our constituents — north and south of the border — to give every assistance to the police in bringing the perpetrators of these crimes before the courts. A small group of determined fanatics must not be allowed to disrupt the lives of the vast majority, who are law-abiding citizens. Terrorism must not be allowed to succeed in the achievement of political aims—terrorism did not work in the past and we will not allow it to succeed in the future.

The progress that we have made in Northern Ireland has been on all fronts: political, economic and social. We have an Assembly and an Executive that are functioning and stable, and are delivering real benefits for the people of Northern Ireland. There have been problems along the road, and we are not at the final destination that the Democratic Unionist Party would like to reach, but the devolved institutions have emerged stronger than ever from all the tests. We in the Democratic Unionist Party made support for the police key to the establishment of devolution, and I firmly believe that we have laid the foundations for the development of a peaceful and prosperous society in Northern Ireland.

The economy was prioritised by the Executive right from the establishment of

devolution and, during the 10 years of peace, living standards have improved, unemployment has fallen and investment has increased substantially. We might be only a small regional assembly in the United Kingdom, but we can play an important role in mitigating the effects of worldwide recession. Actions that have been taken by devolved ministers have helped to put extra money into the pockets of hard-pressed homeowners and businesses, who would otherwise have been burdened with rates increases.

The burden of bureaucracy and red tape is being lifted from our farmers, industrial rates have been capped for manufacturing businesses, the future of local government has been mapped out and there is to be record investment in our infrastructure. Rural planning has been reshaped, with a sustainable policy instead of the direct-rule blanket ban on development in the countryside, and strategic developments can be assured of a swift decision, whether it is an approval or a rejection.

Devolution has clearly made a difference to people's lives and we are firmly committed to ensuring that it will continue. Nevertheless, it is clear that, north and south of the border, we are facing an economic crisis that is at least as severe as any that we have experienced in our lifetimes. At a time like this, it is quite absurd that a small number of people, whatever community they come from, seem to be determined to destabilise the community and disrupt economic activity by action that can only make life more difficult for the poorest section of the community, who are struggling to make ends meet. Is that the only solution they can find to help us to survive the recession?

Many of the decisions that have been taken and the changes that have been made by devolution will start to pay their greatest dividends only in the longer term. I firmly believe that foundations are being laid that will permit the development of a peaceful and prosperous society in Northern Ireland. If it was the hope of the terrorists to destabilise Northern Ireland, they will fail. That did not work in the past and it will never work — not now or in the future. Every time the terrorists attempt

to take us backward, the people's resolve to go forward is strengthened, as we witnessed in the aftermath of Antrim and Craigavon, when all the political and religious leaders united to condemn the murders.

The police are receiving more and more of the support and information that are required to defeat terrorist groups. That support, backed up with whatever resources the chief constable requires, means that the terrorists' campaign cannot succeed. The progress that we have made has not come about easily, and such reminders of the past show just why the people in Northern Ireland are determined that we will not go back. [*Applause.*]

Mr Danny Kennedy MLA: Mr Chairman, friends and distinguished guests, thank you very much for the invitation to speak. It has been a rush to come up here this morning, but we have enjoyed it nonetheless. In an act of last-minute defiance, we stopped just short of the border, where I bought a Mars bar. I am not quite sure what that proves.

It is nice to be with members. I hope that what I am about to share will be of benefit and of use. I am reminded of what Lord Byron is reputed to have said of his mother-in-law, which was that she had:

“lost the art of conversation, but not, alas, the power of speech.”

We meet today as parliamentarians. Our islands share a parliamentary heritage. The Westminster Parliament, the pre-Union Scottish and Irish Parliaments, the Stormont Parliament, Dáil Éireann, the Scottish Parliament, the National Assembly for Wales and the parliamentary institutions of the Isle of Man, Jersey and Guernsey all testify to the fact that the history of our islands is defined by parliamentary institutions. The freedoms and liberties that our societies enjoy flow from, and depend on, the representative nature of parliamentary government. Edmund Burke, an Irish man who represented a part of England in the House of Commons, described parliamentary government as part of our “liberal descent” — a liberal heritage.

Many of us here could have and have had — how should I put it? — robust debates about heritage and history and how it has developed over the centuries. Such debates are, of course, normal and good in democratic societies. However, the values that we share as parliamentarians unite us all. There is no debate about those values, and we all share that liberal heritage.

Recent events have shown that there are those on our islands who hold very different values. There are those who seek to undermine and destroy the parliamentary institutions that guarantee representative government and free societies. The murders of the soldiers Quinsey and Azimkar and of Constable Carroll have demonstrated in the most tragic and painful terms that our parliamentary institutions and free societies are being challenged by those who are committed to the ideology of sectarian hatred and violence. As Lord Browne said, yesterday Belfast witnessed yet more scenes that were reminiscent of a past that we had hoped was gone for ever.

What should be our response to such extremism and the cult of violence? It is obvious that the front line is held by the brave men and women of the police services, the armed forces and the intelligence services in our respective jurisdictions, who put themselves in harm's way. Their professionalism and dedication protect the space that is a free society. They deserve our unending respect and our fullest support.

10.45 am

We as parliamentarians have a key role in responding to and facing down the ideology of sectarian hatred and violence. As with most parliamentary institutions, the Northern Ireland Assembly's work is not always the most glamorous, but it brings political opponents together to debate, persuade one another, compromise, reach consensus and respect the rights of one another and of one another's constituents.

In other words, each of our parliamentary institutions enshrines the values and principles of a free society. The British-Irish Parliamentary Assembly shows that the shared principles and values that unite parliamentarians and parliamentary institutions are stronger than the historic divisions. The Assembly replicates experiences in other bodies. In this week, which marks the sixtieth anniversary of the founding of the North Atlantic Treaty Organization, we can point to the NATO Parliamentary Assembly. We could also point to the Commonwealth Parliamentary Association or, indeed, the European Parliament, a body that the former generation of Europeans who experienced the tragedies of 1914-18 and 1939-45 could never have envisaged. The lesson from each of those examples is the same: parliamentary government protects, represents and gives expression to free societies. The common experience of parliamentary government allows old adversaries or neighbours with past strained relationships to work together for the sake of the common good.

The full participation by unionists from Northern Ireland in the British-Irish Parliamentary Assembly is a testament to the changed nature of the body and to the changing relationships in our islands. Each of us remains intensely proud of our political cultures and respective parliamentary heritages and institutions, but old hostilities have been replaced with a new partnership between parliamentarians and Parliaments and a renewed commitment to shared values, free societies and parliamentary government.

That new partnership has challenges that must also be faced. How do Parliaments and parliamentarians in our islands respond to the global economic crisis, the environmental debts that face our generation and the next, and the disengagement from the democratic process that exists in all our societies? Those questions have been on this Assembly's agenda and I look forward to ongoing discussions on such matters. As parliamentary institutions and parliamentarians, we have a responsibility to address those questions, which impact greatly on the lives of the people whom we represent.

Our new partnership, which is represented by this Assembly, must show itself to have greater resolve and resilience than those who would drag us back into a painful and bloody past. Our values, as free societies and parliamentary institutions, are stronger than theirs. I trust that that will be the message that goes out today from this British-Irish Parliamentary Assembly.

The Co-Chairman (Mr Niall Blaney TD): I thank both our speakers. The Co-Chairman will kick off the questions.

The Co-Chairman (Rt Hon Peter Hain MP): We all welcome the speeches from Wallace Browne and Danny Kennedy. In the light of the First Minister's encouraging statement overnight that he thinks that the response to the recent killings has bound together people from the different parties in the Northern Ireland Assembly and Executive, do our speakers have any observations on the likely future for the unfinished business of devolution, which is the devolution of policing and justice? I know that there was an agreement last year between the First Minister and the Deputy First Minister, but what is our speakers' take on progress and the likely timetable?

The Co-Chairman (Mr Niall Blaney TD): We will bunch four or five questions together.

Mr Jim O'Keefe TD: As somebody from the deep South, with the most southerly constituency in Ireland, I say how glad I am to see our guests here. It is really marvellous that we have the opportunity to have reasoned debate and discussion with colleagues from the Northern Ireland Assembly representing the DUP and the UUP.

We have already discussed it, but it goes without saying that there is unanimous revulsion, not just in this Assembly but throughout the island of Ireland and beyond, at the murders of constable Carroll, who is the first member of the Police Service of Northern Ireland to be killed since the force's establishment, and the two sappers.

As people have already said, our thoughts are with their relatives and with the authorities. I have, on behalf of Committee A, sent a letter to the chief constable of Northern Ireland on this issue.

I should, at this point, direct any members who are interested in delving into some of the issues that we have been discussing this morning to Committee A's report on cross-border policing. A point that was drawn to our attention, particularly by the PSNI, was that suspects can evade arrest by crossing the border from one jurisdiction into the other, so we have recommended that the authorities review the matter. I wonder whether Mr Kennedy or Lord Browne have any comments on that.

Mr Seymour Crawford TD: As someone who lives closer to the border than my colleague Jim O'Keeffe, I very much welcome our two colleagues to the meeting. I have known Danny Kennedy for quite some time from meetings that we have had, and I welcome him and his contribution to our Assembly.

It is very important for the Northern Ireland Assembly to be officially involved in this Assembly. In the past, we have been addressed by ministers from the United Kingdom and Dublin on issues of relevance to most parts of the islands. The Assembly is now in place, and a lot of its work is directly relevant; indeed, policing, which has been debated this morning, is certainly of great importance and there have been discussions about existing problems with cross-border co-operation and about how we can deal more speedily with matters.

We have had extremely close co-operation with the NIA on many subjects including agriculture and tourism, and I hope that the new structure and the fact that the association has been addressed for the first time by two NIA members represent a breakthrough. Two years ago, at a meeting of the BIIPB in Kerry, Peter Robinson, Jeffrey Donaldson and two others spoke unofficially to this Assembly. I very much welcome this morning's breakthrough and hope that we can improve our liaison and other structures and work to the benefit of all on this island.

Mr Noel Treacy TD: On my own behalf, on behalf of my party Fianna Fáil, and as someone who comes from the heart of Ireland, I warmly welcome both our guests and sincerely thank them for bringing to this Assembly the totality of representation on these islands. We value that very much. After all, we are all fellow democrats. Indeed, in his speech, Mr Kennedy alluded to very important issues such as the parliamentary process, the value of democracy and the creation of institutions that have sustained our citizens throughout the centuries.

On behalf of my party and my constituents, I assure you that we absolutely condemn the brutal murders of Constable Carroll and Sappers Azimkar and Quinsey, and that we abhor the outrageous and tragic situation that has developed over the past few weeks.

We are somewhat concerned about the outbreak of violence yesterday evening that was particularly close to police barracks in Belfast. Perhaps our speakers will give us some idea why they think that situation has occurred at this time, because we are in the dark about why it should happen now.

For 20 years I have been fortunate to be a member of successive Irish Governments in different departments. We believe that the whole future of this island is in partnership — North and South, east and west. It is vital and critical to the future of the progressive evolution of all our peoples — North and South, east and west — that all the political parties be engaged in all fora at all times so that we can reach consensual conclusions that will give opportunity and sustainability to our people.

We must take into account the requirements of our people, the capacity of our Governments and Parliaments to deliver to our people and recognise that only in partnership can we deal with the global crisis that is bedevilling not just all of us here, but the world, at this time. We welcome you warmly. We salute you for your commitment, your contributions and those of your parties and colleagues. We salute democracy and representations in Northern Ireland, and we wish you every success

in your personal political careers and in your parties' future.

The Lord Browne of Belmont MLA: First of all, we have to welcome the fact that condemnation for the three murders has come from right across the communities. We have had the trade unions and the religious leaders condemning the murders and, indeed, all the political parties in Northern Ireland have condemned them, too. We recognise that the First Minister, Peter Robinson, has made a strong and statesmanlike statement condemning the murders. However, I also give credence to Sinn Féin because the Deputy First Minister also condemned unreservedly those murders and asked anyone who had any information to give it to the police. Considerable condemnation has been expressed right across the board and that is to be welcomed, as I said.

As to the bill that proposes to devolve policing and justice to the Northern Ireland Assembly, the Democratic Unionist Party has always been in favour of the devolution of policing and justice, but of course, we have to have public support and confidence, and we have to ensure that we have the finance for it. It will come — the bill has passed through the House of Commons and the House of Lords without amendment and there are now eight models for devolving policing and justice to the Assembly. One of those models is probably a preferred option — it will be discussed by the Executive and will have to receive approval by the NIA as a whole. There is confidence that the process will take place; when it will take place, however, I cannot say. As I said, there will have to be public confidence in the measures.

There has to be co-operation between our Chief Constable and his counterpart in the Republic of Ireland. We all agree that the murderers have to be brought to justice and that we have to use all the methods that are available to us. We in the DUP support and have every confidence in our chief constable to work alongside his counterpart in the Republic to bring the murderers to justice.

11.00 am

Mr Danny Kennedy MLA: Thank you to all those who posed questions and for your on-going encouragement and general support.

Peter Hain asked about policing and justice. The Ulster Unionist Party is not opposed in principle to the devolution of policing and justice; it is a matter of timing, trust and confidence. There are still significant issues of trust and confidence, not least because of recent events.

I welcome the condemnation and very strong words that came from the Republican leadership in particular. It is very big stuff when a person such as Martin McGuinness, with his background, can call others traitors to the cause of Ireland. However, words by themselves are not enough. I welcome the fact that police investigations are continuing and appear to be making progress. We hope that the charges that have been brought will result in the convictions of those who are guilty and that that will send out a significant message.

Given the backcloth of violence over the years and the history of Republican and Republican-inspired violence against the security forces and the population in general, an issue of confidence remains, particularly within the wider Unionist community. I am therefore slightly cautious about advocating the early devolution of policing and justice powers. It is worth saying that the Executive at Stormont is a four-party mandatory Executive, so the individuals and parties concerned are perhaps not there by choice. There is quite a lot of evidence of that, and there are significant differences in policies. The Executive is not a coalition of the normal parliamentary type, and it might be said that the vehicle that was required to get us to this point may not be the best vehicle to take us forward. That is an important point that I think all the parties are conscious of.

I hope that I am not being too party political in saying that I sense that there is concern in the two smaller parties in the Executive — the Ulster Unionist Party and the Social Democratic and Labour Party — that the two larger parties are engaging in a political carve-up. I am sure that others will refute that allegation, but there is

concern about that in the wider community. A clear signal is needed from the top that the Executive is working cohesively together. There has been evidence of that in the reaction to the murders — in the coming together to condemn the murders — but it has not been clear that there has been cohesiveness in the work of the Executive to carry out day-to-day political business on behalf of the people of Northern Ireland. Wider concern remains about that.

I think that Noel Treacy asked why the violence had re-emerged. Fundamentally, I think that there will always be those within Republicanism who will carry that torch. I sense that there will always be a section of the Republican constituency that will not be content with a political settlement. I think and hope that there is little or no real support for them, but such people nevertheless represent a significant and on-going threat. We have to make it clear that a relatively small number of experienced and dedicated terrorists are having and are capable of having an unhealthy influence on a younger generation that knows nothing of the dark days or the pain and misery that a campaign of violence would bring to themselves and those on whom they wished to inflict violence. That unhealthy influence is capable of causing major problems, and we need to act.

The chief constable has proved himself to be independently minded and politically independent. He deserves credit for that and he deserves support from politicians and from all political quarters in his attempts to ensure that those responsible are caught, apprehended and properly brought before the courts of justice.

The Co-Chairman (Mr Niall Blaney TD): I thank you both. I ask my Co-Chairman, Peter Hain, to wrap up the session and show our appreciation to the speakers.

First, thank you very much to Danny Kennedy and Wallace Browne for coming. Danny must have got up at about 5.30 am this morning, which means that he will not have had his usual Ulster fry for breakfast, but we have a special early lunch.

Mr Danny Kennedy MLA: If I can say so, Peter, it is not always called an Ulster fry — sometimes it is called an occupied-six-counties fry. [*Laughter.*]

The Co-Chairman (Rt Hon Peter Hain MP): For once, I am lost for words. We will give you the opportunity to have a Donegal fry at 11.30 in the gallery bar, where you can have a quick snack before the coaches depart. We are grateful to you for coming down at short notice — I thank Jim Wells for unscrambling some of the crossed administrative lines that led to some uncertainty. The Assembly looks forward to hearing further contributions from Unionist leaders, including yourselves, and to the continuation of the participation in the Assembly that there has been for the last couple of plenary sessions.

I take the opportunity to thank, at least on behalf of the British side, all the organisers in Ireland. We have had fantastic hospitality and we should show our appreciation to everybody for that. [*Applause.*]

We are all keen to come back as soon as possible. Jim Wells would prefer us to be in permanent session, so that he does not have to go back to Belfast. What has been very good about this conference — I congratulate my Co-Chairman and everybody else concerned — is that there has been real substance to it. The two sessions yesterday, the morning one on the relationship with the British-Irish Council and the afternoon one with Lord Eames and Denis Bradley, were outstanding sessions, from which we all learned a great deal. We feel that we are making progress and that there is work ahead for us. Thank you to all concerned and thanks again to everybody for putting on such a substantive and enjoyable conference. We had a marvellous dinner last night and in every respect it has been a five-star event.

The Co-Chairman (Mr Niall Blaney TD): Thank you very much, Peter. I ask Alasdair Morgan to move the adjournment.

Mr Alasdair Morgan MSP: I beg to move

That the Assembly do now adjourn.

Thank you, Co-Chairman. Peter Hain said some of the things that I was going to say. I thank the staff here at Solís Lough Eske hotel. They have been very attentive, courteous, welcoming and helpful — it has been very impressive. I cannot quite get over the size of my bedroom, so it will be a high standard to match. I also thank the staff at Harvey's Point hotel last night — it was an excellent venue for a formal dinner.

I thank both the Co-Chairmen for their efforts, because although we members can come and go, you have to be there the whole time. Particular thanks go to Niall Blaney as the host Co-Chairman.

I thank the secretariat, particularly the Irish secretariat, for making the arrangements for the conference. It has been very well organised and I mention specifically the events for our partners yesterday, even though I am afraid that they could not quite tailor the weather to the event that was organised.

I also thank all our guests, including the Tánaiste and Paul Murphy. What Paul had to say about the relationship between the British-Irish Council and this body going forward was very helpful, and they certainly dealt with a large number of questions. I also thank Lord Eames and Denis Bradley for once again coming before us to tell us about the difficult task that they have carried out. I thank our two guests this morning, Danny Kennedy and Lord Browne. Yet another dimension has been brought to our proceedings by their attendance.

Finally, I think that we are all looking forward to going to Swansea in October. The high standard of the current plenary session has given our Welsh colleagues a significant challenge, but I am sure that they will emulate and surpass it. [*Applause.*]

The Co-Chairman (Mr Niall Blaney TD): Thank you, Alasdair. In the same mode, I thank my colleagues Eoin Faherty, Jullee Clarke and Liam Canniffe for all the help and

assistance that they gave me in the past months in arranging the venue. That did not happen overnight, as I am sure you can appreciate.

As politicians, we sometimes tend to be overlaboured. Some people were surprised yesterday when I told them that we were starting back not at 2.00 pm but at 2.30 pm. There was a surprised look on their faces when they heard that they had another half hour off. However, one thing that has developed in BIPA over the years is the relationship between members, and as much can be done outside the room as inside it. That is the atmosphere that I tried to create while you were here in Donegal, and I think that it has worked. Of course, we also achieved a lot inside the room. We have learned a lot from our stay in Donegal, and I hope that BIPA will continue in that vein. I wish you all a safe journey home.

I declare the thirty-eighth plenary session of BIPA closed. We will meet in plenary session on Monday 19 October, and Tuesday 20 October 2009 in Swansea, Wales. We look forward to that. Thank you for your participation. *[Applause.]*

Question put and agreed to.

Resolved:

That the Assembly do now adjourn.

Adjourned at 11.11 am.