



BRITISH-IRISH PARLIAMENTARY ASSEMBLY
TIONÓL PARLAIMINTEACH NA BREATAINE AGUS NA HÉIREANN

SIXTEENTH ANNUAL REPORT

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SIXTEENTH ANNUAL REPORT

THE WORK OF THE BRITISH-IRISH PARLIAMENTARY ASSEMBLY

Introduction

1. This is the sixteenth annual report of the Assembly since it was decided at the Plenary Session in May 1996 that such a Report should be made. This Report summarises the work of the Assembly during 2011.

Membership of the Assembly

2. Following the Irish General Election of 25 February 2011, a new Irish delegation was appointed. Mr Niall Blaney TD, who ceased to be a member of the Assembly, was replaced as Co-Chair by Mr Joe McHugh TD. Elections to the Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly in May 2011 also led to significant changes in delegations.

Political developments

General Overview

3. The first British State Visit to Ireland took place from 17-20 May 2011. Her Majesty Queen Elizabeth II and HRH the Duke of Edinburgh met the President Mrs Mary McAleese and Dr McAleese, as well as the Taoiseach, Mr Enda Kenny TD. They laid wreaths at the Garden of Remembrance and the Irish War Memorial, Islandbridge, and visited the Gaelic Athletic Association stadium at Croke Park. They were also able to view the Book of Kells and the National Stud, and meet traders and others at the English Market in Cork. The successful programme touched upon history, trade and community and showcased the strong partnership which now exists between Britain and Ireland.
4. Early 2011 also saw a general election in Ireland, resulting in a change of government and necessitating the appointment of a new Irish Co-Chair and delegation. General elections in Scotland, Wales and Northern Ireland also resulted in changes.
5. The 16th British Irish Council (BIC) Summit took place in London in June 2011, and discussed economic issues and electricity grid energy. The 17th BIC Summit was due to take place in Dublin in November 2011, but was deferred to January 2012.
6. The political situation in Northern Ireland has come through a period of unprecedented stability, with the last Assembly becoming the first since the Good

Friday Agreement to run a full uninterrupted term. Following the 5 May elections, the new Assembly met quickly and the process of electing a Speaker and appointing the First and Deputy First Ministers and the Executive was uneventful.

7. The Hillsborough Agreement, finalised in February 2010, paved the way for the devolution of justice and policing powers to the Northern Ireland Assembly in 2010 and was a significant step forward in the full implementation of the Good Friday Agreement. The Gardaí and the PSNI continue to cooperate very closely to combat dissident activity on both sides of the border. There remains, however, a high level of political, security and media attention on the threat posed by so-called ‘dissidents,’ most recently with an increase in paramilitary style punishment beatings and shootings.
8. There are still several areas of work relating to the Good Friday and St. Andrew’s Agreements which remain to be implemented. These include a Bill of Rights for Northern Ireland; following a public consultation in Northern Ireland, the British government is seeking to make progress on this through consensus between the parties. The issue of an Irish Language Act, as agreed at St. Andrews, remains unresolved, although some progress has been made in securing measures to promote and protect the Irish language and Ulster Scots. A North South Parliamentary Forum Conference (‘Building Strong Pillars’) took place in October 2010. However, agreement to establish a parliamentary forum has not yet been reached. Establishment of the North South Consultative Forum also remains outstanding, as does the completion of the Review of North/South bodies.

Current Ministerial Assignments: Northern Ireland Executive:

Department	Minister	Party
First Minister	Peter Robinson	DUP
Deputy First Minister	Martin McGuinness	SF
Finance and Personnel	Sammy Wilson	DUP
Education	John O’Dowd	SF
Enterprise, Trade and Investment	Arlene Foster	DUP
Regional Development	Danny Kennedy	UUP
Agriculture and Rural Development	Michelle O’Neill	SF
Environment	Alex Attwood	SDLP
Social Development	Nelson McCausland	DUP
Culture, Arts and Leisure	Carál Ní Chuilín	SF
Health, Social Services and Public Safety	Edwin Poots	DUP
Employment and Learning	Stephen Farry	Alliance
Justice	David Ford	Alliance
Junior Minister OFMDFM	Martina Anderson	SF
Junior Minister OFMDFM	Jonathan Bell	DUP

North South Co-operation

9. Since the restoration of the Northern Ireland Executive and Assembly in May 2007, there have been significant advances in North-South co-operation. The North South Ministerial Council (NSMC) met three times in Plenary format during 2011. Plenary format involves the Northern Ireland Executive led by the First Minister and deputy First Minister and the Irish Government led by the Taoiseach. The task of the Plenary is to take an overview of co-operation on the island and of the North South institutions.
10. Of ongoing significance are economic matters of mutual North/South interest: shared fiscal challenges; the National Asset Management Agency (NAMA) and the banking sector, all of which were discussed at the plenary meetings in June and in November. With constraints on budgets in both jurisdictions, the mutual advantages of practical co-operation were recognised. A key priority is strengthening the island economy, as an essential component of economic recovery, to help create jobs and to improve cross border public services such as health and education. Another important issue is the need to maintain the overall effectiveness and ability of the North/South bodies to fulfill their functions as institutions of the Good Friday Agreement.
11. A number of joint meetings of Oireachtas and Northern Ireland Assembly Committees also took place during 2011 in both Belfast and Dublin to discuss a broad range of issues of mutual concern and interest including Agriculture, Fisheries and Health.

Security Situation

12. During 2011, a series of violent attacks by so-called dissident groups took place resulting in injuries and the death of a Catholic PSNI officer, Officer Ronan Kerr, killed by an under-car device in Omagh on 2 April 2011.
13. The 2011 parading season was dominated by a heavy media focus on rioting by young people in the Ardoyne area of North Belfast following the Twelfth of July parades through that area. In comparison to 2010, rioting was largely limited to the evening of 12 July and whilst PSNI officers came under sustained attack, none were seriously injured. As was the case in 2010, it is believed that so-called dissident republicans were responsible for inciting and organising the young people involved in the rioting.
14. The Owers Report into Prison Reform was published and implementation of its recommendations has begun with Minister for Justice (NI) Ford describing the reform process as “unstoppable”. The process will see a voluntary redundancy scheme for existing Prison Officers, the employment of new recruits and the implementation of new working practices. The general prison reform process may also create an environment in which issues related to the separated republican prisoners in Roe House in Maghaberry Prison may be addressed. Republican

prisoners began a dirty protest in Maghaberry in May 2011 which continues. The protest is against current policy with regard to strip-searching.

Dealing with the Past

15. The Office of the Police Ombudsman (OPONI) suffered reputational damage following the publication in 2011 of a number of reports into allegations made against the Office under the stewardship of the outgoing Police Ombudsman, Al Hutchinson. The majority of the criticisms surrounded the handling of investigations into historic cases involving the RUC. Al Hutchinson took early retirement in early 2012.
16. The Smithwick Tribunal, inquiring into allegations of collusion on the part of Gardaí in the deaths of two senior RUC officers in 1989 (Breen and Buchanan), had its first public hearing of evidence on 9 June 2011. This Inquiry was the only one recommended by Judge Cory for the Irish Government to establish when he reported in 2004. The Tribunal was due to complete its inquiries and submit its report by 30 November 2011 but Judge Smithwick requested a six month extension to the timetable which was granted. The final report of the Tribunal is due to be presented no later than 31 May 2012.

Work of the Assembly

Forty-second Plenary

17. The 42nd Plenary Conference was held in the Rochestown Park Hotel, Cork, between 12 and 14 June.
18. Following the Irish General Election, the Irish delegation was very much changed, with some long-standing members having either stood down or lost their seats in the Dáil. Among those who were no longer Deputies were the former Irish Co-Chair, Niall Blaney, and the two Irish Vice-Chairs, Margaret Conlon and Seymour Crawford. Joe McHugh TD was appointed the new Irish Co Chair.
19. The plenary was held much later in the year than normal to enable the Irish delegation to be appointed but the arrangements made by Joe McHugh and the secretariat, despite the shortness of time at their disposal, created an agenda of considerable interest and weight. The theme of the agenda was the Economy but in addition the Assembly had an opportunity to pay tribute to the late Garrett FitzGerald, a former member of the Body (as it then was) and a former Foreign Minister and Taoiseach.
20. The proceedings opened with an address by Simon Coveney, Minister for Agriculture, Marine and Food. He began by welcoming the Assembly to Cork and to his own constituency. He spoke about the collapse of the Irish economy, and referred to the steps the new Government was taking to restructure the banks and

reduce the vast deficit. He reported how the Queen's recent visit to Ireland and to Cork had done much to raise spirits; the people of Cork had turned out in their thousands to cheer the Queen. This would have been inconceivable a generation ago but it illustrated how close the United Kingdom and Ireland were economically and in terms of family relationships. As Minister of Agriculture, he was delighted by the fact that, while the rest of the economy was contracting, agri-food exports were expanding at a rate of 17% annually. He was determined that the quality of Irish agricultural products should be the main factor in the drive to improve exports. The Common Agricultural Policy needed to change to ensure that the European Union produced enough food to feed not only its own citizens but also to provide food for the developing world. His ambition was for the island of Ireland to produce enough food for 50 million people by the year 2020. His speech ended with reference to fisheries.

21. Mr Coveney was followed by Frank Ryan, Chief Executive of Enterprise Ireland, who also spoke about the economy. He told the Assembly what Enterprise Ireland's five main objectives were—driving exports, innovation, entrepreneurship, competitiveness and handling the funds for European Union research programmes in Ireland. He went on to bang the drum for Ireland, saying that too much bad news had been published about the economy and the property collapse. Instead he invited the Assembly to see the positive news. Exports from Ireland were at an all-time high and for instance, Ireland was the largest exporter of infant formula in the world. The Republic was the fifth largest exporter of beef in the world. World class high-tech companies could be found across the country. He mentioned that the drill piece which helped rescue the Chilean miners had been made in Shannon and there were many other such examples. For a country smaller than Sweden or Switzerland there was an enormous amount to be proud of in what Irish ingenuity and skills could do.
22. The Minister, Simon Coveney, and Frank Ryan then answered questions from the floor. Among those asking questions were Lord German, Seamus Kirk TD, Jim Sheridan MP, Senator Paschal Mooney, Lord Skelmersdale, Padraig MacLochlainn TD, Jim Dobbin MP, Chris Ruane MP, Frank Feighan TD, Lord Dubs, Ciara Conway TD, David Melding AM, John Scott MSP and Arthur Spring TD.
23. Warm tributes were then paid to the late Garret FitzGerald, Brian Lenihan and Declan Costello, all of whom had died since the last plenary. Members from a number of jurisdictions spoke of their memories of Garret FitzGerald in particular. Mention was made of Dr FitzGerald's pivotal role in the Anglo-Irish Agreement. Lord Mawhinney referred to the report of the New Ireland Forum which Margaret Thatcher had immediately rejected out of hand but Garret FitzGerald had not reacted to her attack on the report. The way in which he managed the situation eventually led to the Anglo-Irish Agreement.

24. Tributes to the three prominent Irish parliamentarians were followed by the address to the Assembly by the new Taoiseach, Enda Kenny TD. He said he was delighted to have the opportunity to speak to the Assembly of which he had been one of the original members in 1990. He praised what the Assembly had done over the past two decades to improve Irish-British relationships. The recent Royal visit had been a great success and had shown that there was now a much better understanding between the two nations. It was a relationship based on equality and mutual respect. He was very appreciative of the support and help the UK Government had given when the banking crisis had struck at the end of 2010. His government was committed to rebuilding the Irish economy, driving forward growth and exports and cutting the deficit to 3% by 2015. He was committed to the Good Friday Agreement and was very encouraged by developments towards the establishment of a North-South Parliamentary Forum. Indeed, he had chaired the North-South Council as recently as the previous Friday.
25. The Taoiseach answered questions from Jim Wells MLA, Senator Maurice Cummins, Jim Sheridan MP, Martin Heydon TD, Kris Hopkins MP, Chris Ruane MP, Lord German, Ciara Conway TD, Paul Flynn MP, Robert Walter MP, Lord Skelmersdale, Steve Rodan SHK, Senator Paul Coghlan and Lord Mawhinney.
26. The Assembly then discussed the recent murder of Police Constable Ronan Kerr on a motion proposed by the Steering Committee as follows:

That the Assembly:

condemns unequivocally and outright the recent murder of PSNI Officer Ronan Kerr in Omagh and urges that those responsible are brought to justice; extends its deepest sympathies to PC Kerr's family, friends and colleagues; asserts that those responsible for this cowardly atrocity have no mandate to act in the name of the people of Ireland; remains steadfast in its support for the Police Service of Northern Ireland and the Garda Síochána to tackle and overcome the scourge of terrorism; offers its full support to the Irish and British Governments, the First and Deputy First Minister of Northern Ireland, the members of the Northern Ireland Executive and Assembly, to oppose any violent attempts to undermine the peace process.

27. Frank Feighan TD moved the adoption of the motion and he was followed by Paul Murphy MP, Jim Wells MLA, Baroness O'Loan, Arthur Spring TD, Padraig MacLochlainn TD, Willie Clarke MLA, David McClarty MLA, Baroness Blood and Patrick O'Donovan TD. Lord Cope, Co-Chair, wound up the short debate in which all those who spoke condemned the murder and expressed the hope that the dissidents would discontinue their campaign against the peace settlement.
28. Monday's session ended with a presentation by Niall Gibbons, Chief Executive of Tourism Ireland, who spoke about the importance of tourism to the Irish

economy. Mr Gibbons began by saying that the tourist industry had received a massive boost by the recent visits of President Obama and by the Queen. It was almost impossible to put a value on the “free” publicity which these visits had generated. Tourism represented 4% of the Irish GDP and employed 200,000 people and during the economic crisis Ireland had increased its share of the world market. The British market was the largest, followed by those coming from the United States (who tended to stay longer and stay in paid serviced accommodation). However, Air Passenger Duty was making a service from the United States into Belfast vulnerable. A positive step towards increasing the tourist industry was that VAT had been reduced from 13.5% to 9% for tourism-related services but there was still a problem with Visas, which he hoped could be eased. Neither the UK nor Ireland was part of the Schengen agreement which complicated matters for visitors. He ended with talking about Northern Ireland tourism. The centenary of the launch of the Titanic had been a boost for Belfast and the Northern Irish economy, while the opening of the £100 million Titanic signature building in 2012 would attract many visitors, combined as it would be with the commemorations of the Titanic disaster. Similarly, the opening of the Giant’s Causeway centre would be an iconic attraction for visitors.

29. A number of members then asked questions, including Stephen Donnelly TD, Senator Paul Coghlan, Senator Imelda Henry, Jim Dobbin MP, Ann Phelan TD, Jack Wall TD, Frank Feighan TD, Arthur Spring TD, Noel Coonan TD, David Melding AM and Senator Paschal Mooney.
30. The session on Tuesday morning began with reports from the Committee Chairs. The two Irish Chairs were new following the General Election and all four committees had only just been fully formed; consequently the Chairs had little to report. However, there was consistent criticism of the failure of Governments to consider past reports and respond to them. The Assembly should ensure that all reports are sent to the British-Irish Council and are followed up by Governments. The Assembly should establish a proper scrutiny role of the British-Irish Council as its parliamentary wing.
31. The Assembly then took note of the 2010 Annual Report.
32. The first guest speaker was Peter Byrne, the interim Chief Executive Officer of the British-Irish Chamber of Commerce. He spoke with real enthusiasm about the very recently established Chamber which held its first meeting on 11 February and was officially launched by the Tánaiste, Eamon Gilmore, and the British Foreign Secretary, William Hague, in May. The Ambassadors of Ireland and the United Kingdom had agreed to be the Honorary Presidents. Trade between the two countries was now running at a value of 1 billion euros a week and there was much which the new body could do, including a collective approach to opening up new markets in Europe and Asia. One current obstacle to further growth was bureaucracy, both nationally and from the European Commission. It was

- important that unnecessary regulations should be eliminated and the new Chamber of Commerce would be examining ways of doing this.
33. A number of Members spoke, both asking questions and congratulating those responsible for this development. These included Martin Heydon TD, Jim Dobbin MP, Ann Phelan TD, Joe Benton MP, Chris Ruane MP and John Scott MSP.
 34. The final presentation was given by Frank Daly, Chairman of the National Asset Management Agency (NAMA). Mr Daly explained the background to the establishment of NAMA. The background was the property boom of the 1990s and the first years of the 21st century. There had been too much lending by the banks; between 1994 and 2006 there had been a threefold increase in property prices, the highest level in any advanced economy. The banks had had a very poor credit appraisal record and the model was unsustainable. No attempt was being made to assess the borrower's exposure to loans with other banks. The loan growth in the years 2003 to 2006 was phenomenal as follows;- 44% in the case of Anglo, 38% in the case INBS and 33% in the case of Allied Irish. He acknowledged that the recklessness of the banks was not the only cause of the problem. The regulatory system was weak and the regulators relied too greatly on bank governance. Finally, tax incentives fuelled the fire.
 35. NAMA was established in December 2009 following long debates in the Oireachtas both to re-finance the banks and also to provide an asset relief mechanism. The Agency has a life of between seven and ten years. It is subject to extensive scrutiny. The Comptroller and Auditor General is its ultimate supervisor and it is subject to the Public Accounts Committee. It is also accountable to the European Commission, so there should be no concern that its workings are hidden in any way at all. He finished by describing some of the Agency's current areas of support.
 36. A number of Members then asked questions to which Frank Daly responded fully. These included Gavin Williamson MP, Jim Wells MLA, Lord Dubs, Lord Mawhinney, Senator Breckon, Oliver Colville MP, Pádraig MacLochláinn TD, Stephen Donnelly TD, Ann Phelan TD, Senator Imelda Henry, Viscount Bridgeman, Noel Coonan TD, Martin Heydon TD, Senator Deirdre Clune and Frank Feighan TD.

Forty-third Plenary Conference

37. The 43rd Plenary Conference was held in the Grand Hotel, Brighton, between 23 and 25 October. The choice of the Grand was seen by some as controversial, because of the IRA bomb aimed at assassinating the then Prime Minister, Margaret Thatcher, in 1984. However, it was decided to use the venue and the plenary conference as a way of demonstrating the huge change in the Northern Ireland situation which had taken place in the intervening years. The Co-Chair, Joe McHugh TD proposed and it was agreed that a minute's silence should be

observed at the beginning of proceedings in memory of all those who had died in the troubles.

38. During the plenary, Lord Cope of Berkeley announced that he was stepping down as Co-Chair and thanked members for the support he had enjoyed over the past three conferences. Joe McHugh TD, Co-Chair, paid tribute to Lord Cope's leadership.
39. The proceedings were opened by an address by Martin Howe QC, a member of the Commission appointed to examine the issue of human rights and the impact the Court of Human Rights in Strasbourg on national jurisdictions. He began by saying that the Commission had been appointed by the present UK Government to explore a potential Bill of Rights. It contained a membership with widely differing views on the Human Rights Act 1998 and the Commission had hardly begun its work so he couldn't express any opinions on behalf of his colleagues. He was attending in order to hear the views of the Assembly. However, the Commission had given an interim opinion to the Government before the UK assumes the presidency of the Council of Europe on ways in which the Strasbourg court could be reformed and he was able to speak about that advice. They had recommended procedural and structural changes; for instance, the court now had a backlog of 150,000 cases to rule on because there was no sifting mechanism of what was important and what was not. The Commission had also recommended that the Court should concentrate on serious issues of human rights, those which would have a consequence across all the member states. A further recommendation was that the Court should not act politically and rule on matters which were the concern of individual states to deal with. Another recommendation was that there should be some mechanism for an appeal against the Court's decision.
40. Martin Howe gave a personal view on how the Human Rights Act could be changed. For instance, the balance between the right to privacy and the freedom of the Press appeared to have tilted too far towards privacy. He informed the Assembly that an advisory panel of two representatives from the devolved Assemblies and Parliament was in the process of formation – the Welsh and Scottish nominations had been received but the Commission was still awaiting nominations from the Northern Ireland Assembly.
41. Martin Howe answered questions and responded to points made by David Melding AM, Paul Murphy MP, Paul Flynn MP, Lord Mawhinney, Baroness Blood, Lord Dubs, Robert Walter MP (who said that the backlog at Strasbourg had now gone up to over 160,000), Jim Dobbin MP, Baroness Harris of Richmond, Jim Sheridan MP and Andrew Rosindell MP.
42. The next item of business was a report on Northern Ireland given by the House of Lords Northern Ireland spokesman, Lord Shutt of Greetland. He began by apologising for the absence of the Secretary of State who was in the United States

on important business. Lord Shutt then reiterated how much the UK Government valued the close co-operation with Dublin in all matters concerning Northern Ireland. There was growing co-operation at all levels in Ireland itself where the police and public servants worked closely with their colleagues across the border. He paid a warm tribute to Garret FitzGerald who had done so much to improve relationships between the islands while he was Taoiseach. Lord Shutt then turned to the steps which the British Government was taking to acknowledge mistakes made in past years. He dealt in particular with the Finucane case where the Government had admitted there was state collusion. An enquiry by Desmond de Silva QC was now examining the whole case and he would report by the end of 2012. Lord Shutt gave other examples of where the Government had apologised for mistakes made in the past.

43. He turned to speak on the future. A number of important anniversaries would occur in the next decade which would all have to be handled with care and sensitivity. It was important to learn from the past. But there were still those who were opposed to the peace settlement and the security forces had to be aware of the isolated cases of violence. The Government would like to devolve the issue of parading but this had not been possible, so there was no alternative at present to the continuation of the Parades Commission.
44. Lord Shutt then spoke about the economy. The private sector was extremely small and the recent reduction in public expenditure was likely to have a serious impact on the Northern Irish economy. The UK Government hoped that a way could be found to devolve decisions on the rate of corporation tax to the Northern Ireland Executive. Finally, he touched on the question of a Northern Ireland Bill of Rights but said that for the moment, since there was no agreement on its provisions, Northern Ireland would have to be content with the UK Human Rights Act.
45. Lord Shutt answered a wide range of questions from Assembly members, including Baroness Harris of Richmond, Senator Paul Coghlan, Jim Sheridan MP, Dolores Kelly MLA, Barry McElduff MLA, Lord Bew, Baroness Blood, Baroness Smith of Basildon, John Scott MSP, Dominic Hannigan TD, Bethan Jenkins AM, Paul Murphy MP, Senator Cait Keane, Jim Wells MLA, Patrick O'Donovan TD, and John Paul Phelan TD. Most of the questioners asked about the Pat Finucane enquiry but other questions were about air passenger duty, corporation tax and a Bill of Rights.
46. The discussion on Northern Ireland was followed by a presentation by the Deputy Chief Executive of the British Bankers Association, Mrs Sally Scutt, who spoke about the British economy from the viewpoint of the banks. Mrs Scutt explained that her present responsibilities included regulatory proposals and she had been instrumental in establishing the International Banking Federation in 2007, just in time to have a united front when the banking crisis occurred. She spoke on three areas, regulation, international competitiveness and the economy. The importance of greater regulation was acknowledged but increased regulation must not be so

rigid that it stifled growth. The euro-zone crisis had to be solved and Greece had to be helped to manage its huge debt. The consequences of Greece failing would be severe. While it was possible to bail out Greece, it would not be possible to do so with Spain and Italy. A firewall would have to be created around Greece. Regulatory reform was also required. UK banks had already implemented many of the changes required by the Financial Services Authority and were better placed than banks elsewhere to weather the uncertainties of the euro crisis. Politicians seemed unable to find solutions to the sovereign debt crisis affecting so many countries and the world economy was seriously imbalanced.

47. After her address, Mrs Scutt replied to questions from the Assembly. Many questioners felt that she had been far too supportive of the banks and had not said enough about their responsibility in the collapse of so many economies. The morality of the banks' actions was also questioned. Jim Dobbin MP, Jim Sheridan MP, Arthur Spring TD, Senator John Crown and Patrick O'Donovan TD in particular were all critical of the failure of the banks to acknowledge their role in the economic crisis and now of their failure to lend to small and medium sized businesses. In her replies, Mrs Scutt believed that the bankers had apologised but also felt that those asking questions had not always interpreted her speech correctly.
48. On Tuesday, the Assembly welcomed the Northern Ireland Minister for Justice, David Ford MLA to speak about the recently devolved police and justice powers. David Ford reminded the Assembly that justice had been devolved as recently as April 2010; it had been too hot a political potato to be dealt with under the Good Friday Agreement but after only 18 months the issue was now seen as entirely normal. He had been elected twice as Minister of Justice and was the only elected minister in the Executive. When first elected in April 2010, he had decided to focus his department's attention on three areas---safer, shared communities, faster, fairer justice and a reformed prison and youth justice system. There had been progress in all three areas. The Justice Act 2010 had been a great achievement where there had been a 96% agreement on its provisions by the Assembly, the Executive and the Department. Legal Aid had been reformed; the legal profession had protested strongly about the cuts but the budget had not allowed the previous rates to continue. He was determined to tackle the physical divisions in Belfast; the so-called peace walls were being slowly removed but too many physical barriers remained. He recalled the formal opening of a door in a wall across a public park so that children could cross the divide.
49. However, he was frustrated by the working of the Assembly and the Executive where nothing could be done collectively. The people of Northern Ireland were ahead of their political leaders in this regard. He acknowledged that, as a member of the Alliance party, he stood for co-operation across the political and sectarian groupings but so much more could be achieved if there was a real sense of working together. If politicians could be seen to be working collectively, this would be noticed across the wider community.

50. Mr Ford then spoke about the security situation, the police and prisons. The prison service had to move on from their long role in containing para-militaries to one which deals with criminals who need help in reforming their behaviour. He acknowledged that there were still threats from dissidents but there was admirable cooperation across the border with the PSNI and the Garda working closely together. Of course, there were still areas for improvement, for instance, the speeding up of the issue of summonses between the jurisdictions. Work still had to be done to increase the number of secondments between the PSNI and the Garda--pensions were an issue.
51. He concluded by saying that much had been achieved since the devolution of justice and policing in 2010. He didn't know whether he would continue to be elected as Minister of Justice particularly since the present devolution of these powers was subject to a sunset clause and had to be reviewed before 1 May 2012 after which a permanent settlement would be put in place.
52. Thirteen members of the Assembly then asked questions. Jim Wells MLA asked about diesel smuggling, as did Ann Phelan TD. Lord Mawhinney asked about "peace walls"; he understood that there had been a huge growth in these since the date of the Good Friday Agreement. David Ford agreed that there had been, but not since he had been Minister. Bethan Jenkins AM and Lord German were disappointed with the way in which the coalition of parties in the Assembly and Executive operates. Baroness Blood asked about youth justice and Lord Dubs about the problem of police pensions and secondments. Others who asked questions were John McCallister MLA, Robert Walter MP, Baroness Harris of Richmond, Baroness Smith of Basildon, Martin Heydon TD and Senator Cait Keane.
53. The session ended with a short discussion about the Role of the Assembly opened by Paul Murphy MP. Paul Murphy spoke about the enormous change for the better in UK/Irish relations as a result of the formation of the Body (as it then was) in 1991. The Body had made great strides in the last twenty years. He recalled attending his first meeting as a Minister in 1998 shortly after the Good Friday Agreement; when he again attended in 2004 in Chepstow, the Body then included representatives from the devolved administrations; and in 2009 at a meeting in Donegal, he remembered the way in which the whole Assembly was united on the issue of reciprocal healthcare and was able to bring pressure, successfully, on the UK Government to change the policy.
54. So far as the future was concerned he made three proposals. There should always be an agenda item at each plenary entitled "Report from the British Irish Council". Secondly, a senior minister should always attend one of the sessions; Irish plenaries invariably included an address by the Taoiseach but so far it had never been possible to get the Prime Minister or Deputy Prime Minister to speak at a UK plenary. If the Assembly met in one of the devolved jurisdictions a senior

minister from that government should be invited. Mr Murphy's third proposal was that the work of the Committees should be enhanced; it should always be the case that the reports should go to the BIC and to all the governments who should be expected to respond. The Assembly should make sure that reports were followed up and where appropriate, acted on.

55. Paul Murphy's ideas were supported by all those who followed him, Robert Walter MP, John Scott MSP, Jim Wells MLA, Senator Alan Breckon, David Melding AM, Lord Dubs, John Paul Phelan TD, Viscount Bridgeman, Frank Feighan TD and Bethan Jenkins AM. Joe McHugh TD, Co-Chair, wound up the short discussion and said he would ensure that all the suggestions were pursued further.
56. At different points during the plenary the Assembly heard reports from the Chairs of the four Committees. Since the membership of the Committees had only just been agreed, the reports were largely about the plans each committee had for future enquiries. One point which was repeatedly made was that when the Assembly had received a report and had adopted its recommendations, it was important that the British-Irish Council should take note of it and that Governments should respond in one way or another. There was no point in pursuing enquiries if no notice were taken of the final report.

The Steering Committee

57. The Committee met on the occasion of the two plenary sessions, and discussed various matters including the need for committees to take a more strategic approach to their future programmes, the importance of strengthening relations between the Assembly and the British-Irish Council and North-South Parliamentary Forum, and possible ways of enhancing the role played within the Assembly by the delegations from the UK's devolved institutions.

Committees

58. The work of the Committees during the year can be found in Appendix 3. Committee work was limited as a consequence of the General Elections in Ireland, Scotland, Wales and Northern Ireland.

Staffing of the Assembly

59. Details of the staffing of the Assembly can be found at Appendix 4. In June Alda Barry retired as British Co-Clerk after ten years' service, and was replaced by Robin James.

Prospects for 2012

60. Following a lengthy hiatus arising from the holding of General Elections in 2010 and 2011 in the UK, Ireland, Scotland, Wales and Northern Ireland, it is to be hoped that the work of the Assembly can now proceed on the basis of stable membership for some years to come. The Assembly's committees are in process of developing a crowded and interesting programme of inquiries. The Assembly will continue to explore ways of deepening its relationship with the British-Irish Council and North-South Parliamentary Forum, and of enhancing co-operation and understanding amongst the peoples of these islands.

APPENDIX 1

Members of the British-Irish Parliamentary Assembly

Members of the Assembly

Ireland – January 2011

Mr Niall Blaney, TD
Mrs Margaret Conlon, TD
Mr Seymour Crawford, TD
Senator Dan Boyle
Mr Johnny Brady, TD
Ms Joan Burton, TD
Senator John Carty
Senator Donie Cassidy
Senator John Ellis
Senator Dominic Hannigan
Senator Eoghan Harris
Mr Brian Hayes, TD
Mr Michael D. Higgins, TD
Senator Terry Leyden
Mr Dinny McGinley, TD
Mr Joe McHugh, TD
Mr Arthur Morgan, TD
Senator Francie O'Brien
Mr Charlie O'Connor, TD
Mr Fergus O'Dowd, TD
Dr Rory O'Hanlon, TD
Mr Jim O'Keefe, TD
Mr Noel Treacy, TD
Senator Diarmuid Wilson

Mr Chris Andrews, TD
Senator Martin Brady
Mr Joe Carey, TD
Mr Sean Connick, TD
Mr Michael D'Arcy, TD
Senator Geraldine Feeney
Mr Frank Feighan, TD
Senator John Hanafin
Senator Cecilia Keaveney
Senator Marc Mac Sharry
Senator Paschal Mooney
Senator Terry Leyden
Senator Joe O'Reilly
Senator John Paul Phelan
Senator Phil Prendergast
Senator Eugene Regan

Ireland – December 2011

Mr Joe McHugh TD
Senator Paul Coghlan
Mr Seán Conlan TD
Ms Ciara Conway TD
Mr Noel Coonan TD
Senator John Crown
Senator Maurice Cummins
Mr Stephen Donnelly TD
Mr Frank Feighan TD
Mr Martin Ferris TD

Mr James Bannon TD
Mr Jerry Buttimer TD
Senator Paul Bradford
Senator Terry Brennan
Mr Joe Carey TD
Senator Michael Comiskey
Ms Marcella Corcoran
Kennedy TD
Mr Pat Deering TD
Ms Anne Ferris TD

Senator Jimmy Harte
Senator Imelda Henry
Mr Martin Heydon TD
Senator Cáit Keane
Mr Seamus Kirk TD
Mr Mattie McGrath TD
Senator Paschal Mooney
Mr Pádraig MacLochlainn TD
Mr Patrick O'Donovan TD
Mr Joe O'Reilly TD
Ms Ann Phelan TD
Mr John Paul Phelan TD
Mr Arthur Spring TD
Mr Jack Wall TD
Senator Jim Walsh

Mr Luke 'Ming' Flanagan TD
Mr Dominic Hannigan TD
Senator James Heffernan
Mr Charlie McConalogue TD
Ms Sandra McLellan TD
Mr Tony McLoughlin TD
Ms Maureen O'Sullivan TD
Mr Brian Stanley TD
Mr Brendan Smith TD
Ms Joanna Tuffy TD

The UK Parliament—January 2011

Rt Hon Lord Cope of Berkeley
Rt Hon Paul Murphy MP
Laurence Robertson MP
Joe Benton MP
Baroness Blood
Ms Lorely Burt MP
Conor Burns MP
Oliver Colvile MP
Jim Dobbin MP
Lord Dubs
Paul Flynn MP
Stephen Gilbert MP
Lord Glentoran CBE DL
Kris Hopkins MP
Rt Hon Lord Mawhinney
Esther McVey MP
Baroness O'Cathain OBE
John Robertson MP
Lord Rogan
Chris Ruane MP
Lord Smith of Clifton
Robert Walter
Tom Watson MP
Gavin Williamson MP

Tony Baldry MP
Lord Bates
Gordon Birtwistle MP
Viscount Bridgeman
Neil Carmichael MP
Rosie Cooper MP
Ian Davidson MP
Paul Farrelly MP
Lord Gordon of Strathblane
Richard Graham MP
Baroness Harris of Richmond
Brandon Lewis MP
Jack Lopresti MP
Jim McGovern MP
Baroness O'Loan
Andrew Rosindell MP
Jim Sheridan MP
Lord Skelmersdale
Rt Hon Baroness Smith of Basildon
Mel Stride MP

The UK Parliament--December 2011

Laurence Robertson MP
Rt Hon Paul Murphy MP
Joe Benton MP
Lord Bew
Baroness Blood MBE
Ms Lorely Burt MP
Conor Burns MP
Oliver Colvile MP
Jim Dobbin MP
Lord Dubs
Paul Flynn MP
Stephen Gilbert MP
Lord Glentoran CBE DL
Baroness Harris of Richmond
Kris Hopkins MP
Rt Hon Lord Mawhinney
Esther McVey MP
John Robertson MP
Lord Rogan
Chris Ruane MP
Mr Jim Sheridan MP
Lord Skelmersdale
Robert Walter MP
Gavin Williamson MP

Tony Baldry MP
Lord Bates
Gordon Birtwistle MP
Viscount Bridgeman
Neil Carmichael MP
Michael Connarty MP
Rosie Cooper MP
Ian Davidson MP
Paul Farrelly MP
Lord German OBE
Lord Gordon of Strathblane
Richard Graham MP
Brandon Lewis MP
Jack Lopresti MP
Jim McGovern MP
Baroness O'Loan
Andrew Rosindell MP
Rt Hon Baroness Smith of
Basildon

The Scottish Parliament – January 2011

Mr Alasdair Morgan MSP
Mr Brian Adam MSP
Mr Hugh Henry MSP
Mr David McLetchie MSP
Mr Iain Smith MSP

Mr Alasdair Allan MSP
Mr Michael McMahon MSP
Ms Shirley-AnneSomerville
MSP
One vacancy

The Scottish Parliament – December 2011

Mr John Scott MSP
Mr Willie Coffey MSP
Ms Alison McInnes MSP
Mr Michael McMahon MSP
Ms Mary Scanlon MSP

Mr James Dornan MSP
Mr Gordon MacDonald MSP
Mr David McLetchie MSP
Ms Siobhan McMahon MSP

National Assembly for Wales – January 2011

Mrs Rosemary Butler AM
Mrs Joyce Watson AM
Dr Dai Lloyd AM
Mr Alun Cairns AM

Mr Alun Davies AM
Ms Bethan Jenkins AM
Mr Darren Millar AM
Ms Jenny Randerson AM

National Assembly for Wales – December 2011

Mr David Melding AM
Ms Bethan Jenkins AM
Mr Darren Millar AM
Mr William Powell AM
Mr Ken Skates AM

Ms Antoinette Sandbach AM
Mrs Joyce Watson AM
Mr Lindsay Whittle AM

Northern Ireland Assembly- January 2010

Mr David McClarty MLA
Dr Alasdair McDonnell MP MLA
Mr Barry McElduff MLA
Mr Sean Neeson MLA
Mr Jim Wells MLA

Mr Alex Atwood MLA
Mr Willie Clarke MLA
Rev Robert Coulter MLA

States of Jersey – January 2011

Deputy Alan Breckon

Connétable Daniel Murphy

States of Jersey – December 2011

Deputy Alan Breckon

Connétable Daniel Murphy

States of Guernsey – January 2011

Deputy Graham Guille

Deputy Jack Honeybill

States of Guernsey – December 2011

Deputy Jane Stephens

Deputy Jack Honeybill

Tynwald – January 2011

Hon Steve Rodan, SHK

Mr Eddie Lowie MLC

Tynwald – December 2011

Hon Steve Rodan, SHK

Mr Eddie Lowie MLC

APPENDIX 2

Reports and other Documents approved by the Body

Forty-second plenary, Cork, 13 and 14 June 2011

The Assembly agreed to the following Resolutions:

MURDER OF PSNI OFFICER RONAN KERR

That the Assembly:

condemns unequivocally and outright the recent murder of PSNI Officer Ronan Kerr in Omagh and urges that those responsible are brought to justice;

extends its deepest sympathies to PC Kerr's family, friends and colleagues;

asserts that those responsible for this cowardly atrocity have no mandate to act in the name of the people of Ireland;

remains steadfast in its support for the Police Service of Northern Ireland and the Garda Síochána to tackle and overcome the scourge of terrorism;

offers its full support to the Irish and British Governments, the First and Deputy First Minister of Northern Ireland, the members of the Northern Ireland Executive and Assembly, to oppose any violent attempts to undermine the peace process.

FIFTEENTH ANNUAL REPORT

That the Assembly takes note of the Fifteenth Annual Report (Document No 178).

GOVERNMENT RESPONSES

That the Assembly takes note of the Government responses to Committee reports set out in Document Nos 179 to 184.

Forty-third plenary, Brighton, 24 and 25 October 2011

The Assembly agreed to the following Resolution:

GOVERNMENT REPOSES

That the Assembly takes note of the responses from the two Governments and the Northern Ireland Executive to the motion adopted at the Plenary Session in Cork on the murder of PSNI officer Ronan Kerr (Document Nos. 185 to 187).

APPENDIX 3

Work of Committees

Committee A Sovereign Matters

1. The Committee met formally on one occasion during 2011, on a working visit to Brighton, during a year in which its work programme was interrupted by the Irish General Election.
2. At the Brighton meeting in October 2011, the Committee agreed to hold an inquiry in 2012 about the “Decade of Commemorations” to mark the 1912-1922 period which saw several significant events to both the UK and Irish sides, including the Third Home Rule Bill, the Ulster Covenant, women’s suffrage, the Battles of the Somme, Messines and Gallipoli, and the establishment of the Irish Republic. It was agreed that any inquiry would have to be conducted with sensitivity. The Committee agreed to discuss its inquiry further at the first meeting of 2012, in London.
3. Other potential topics of inquiry discussed by the Committee included cross-border policing, particularly the level of cooperation between the Police Service of Northern Ireland and the Garda; defence cooperation; and the effect of deficit reduction on policing.
4. Due to the Irish General Election in February, Committee A saw a complete change to its Irish Members during 2011. The Committee pays tribute to Senator John Carty, Mr Pat the Cope Gallagher TD, Mr Brian Hayes TD, Mr Dinnie McGinley TD and Dr Rory O’Hanlon TD, for their work on the Committee. The Committee pays particular tribute to its former Chair, Mr Jim O’Keeffe TD, who retired in 2011.

Attendance at meetings of Committee A in 2011

Brighton, 25 October 2011: Frank Feighan TD (Chair), Lord Bew, Baroness Blood MBE, Viscount Bridgeman (Associate), Martin Heydon TD, Rt Hon Lord Mawhinney, Patrick O’Donovan TD, John Paul Phelan TD, Jim Sheridan MP.

Committee B European Affairs

1. During 2011, Committee B met formally twice, at the plenary meetings in Cork and Brighton.

2. At the Cork plenary in the spring of 2011, the Committee agreed its Report on The Recession and EU Migrant Workers. This Report was then presented to the plenary meeting at Brighton in October 2011.
3. At Brighton, the Committee also agreed terms of reference for a new inquiry into human rights to be conducted during 2012. It also agreed to examine updated statistics for its Report on The Recession and EU Migrant Workers.

Attendance at meetings of Committee B in 2011

Cork, 13 June 2011: Robert Walter MP (Chairman), Senator Terry Brennan, Noel Coonan TD, Lord German, Lord Harris of Richmond, David McClarty MLA.

Brighton, 25 October 2011: Robert Walter MP (Chairman), Willie Coffey MSP, Noel Coonan TD, Jim Dobbin MP, Lord German, Baroness Harris of Richmond, David McClarty MLA, Rt Hon Paul Murphy MP, William Powell AM .

Committee C
Economic Affairs

1. The full membership of Committee C was confirmed at the spring Plenary in Cork. On 24 October 2011 members of the Committee met informally during the Brighton plenary. Members suggested reviving an inquiry into the support available to the Small and Medium Enterprise (SME) sector for which evidence-gathering had begun in February 2010.
2. The Committee met formally in London in January 2012 to discuss the focus of the SME inquiry and the Committee's priorities for future work. At this meeting Paul Flynn MP formally stood down as the Committee's Shadow Chair, although he will continue to be a member of the Committee. Jack Wall TD thanked him for his dedicated work for the Committee over the preceding six years and welcomed John Robertson MP as Mr Flynn's successor in the role. The Committee held discussions with Roger Pollen, Federation of Small Businesses Northern Ireland.
3. On 12 March 2012 the Committee met in Dublin. On this occasion, revised terms of reference for the SME inquiry were agreed, reflecting the interests of the membership which had changed substantially since the inquiry was first launched. The Committee held discussions with a number of guests on aspects of this topic, with a focus on access to finance for SMEs: Mark Fielding, Irish Small and Medium Enterprises Association, Patricia Callan, Small Firms Association, John Trethowan and Catherine Collins, Credit Review Office, and officials from the Department of Enterprise, Jobs and Innovation and Enterprise Ireland.
4. The Committee met in London again on 23 April 2012 to conclude its evidence-gathering on SMEs. Discussions were held with Graeme Fisher, Federation of

Small Businesses, Adam Marshall, British Chambers of Commerce, Emma Wild, Confederation of British Industry, Irene Graham and David Dooks, British Banking Association, Matt Bland, Association of British Credit Unions Limited, and officials from the Department of Business, Innovation and Skills.

5. The Committee's intention is to agree a report on Small and Medium Enterprises for discussion at the Dublin plenary in May. The Chair would like to express his thanks to Arthur Spring TD for playing a particular role in bringing this report to fruition.

Attendance at meetings of Committee C in 2011-12

Members attending the meeting of the Committee in London on 30 January 2012:

Jack Wall TD (Chairman), John Robertson MP (Shadow Chairman), Oliver Colville MP, Senator John Crown, Paul Flynn MP, David McClarty MLA, Mattie McGrath TD, Senator Paschal Mooney, Ann Phelan TD, Mary Scanlon MSP, Arthur Spring TD.

Members attending the meeting of the Committee in Dublin on 12 March 2012:

Jack Wall TD (Chairman), John Robertson MP (Shadow Chairman), Paul Flynn MP, David McClarty MLA, Mattie McGrath TD, Esther McVey MP, Senator Paschal Mooney, Ann Phelan TD.

Members attending the meeting of the Committee in London on 23 April 2012:

Jack Wall TD (Chairman), Paul Farrelly MP, Paul Flynn MP, Mattie McGrath TD, Esther McVey MP, Senator Paschal Mooney, Ann Phelan TD, Arthur Spring TD.

Committee D
Committee on Environmental and Social Issues

1. Owing to the general elections in Ireland, Northern Ireland, Scotland and Wales, committee D met only once in 2011, at the plenary meeting in Brighton. It was the first meeting of the newly constituted committee; all the members from the Oireachtas, the Scottish Parliament and the National Assembly for Wales were new to the committee.
2. At the meeting in Brighton on Monday 24 October 2011 the committee agreed that it would carry out an inquiry into human trafficking. Evidence would be sought from government ministers and officials (including from the devolved governments), social services and local authorities, NGOs involved with trafficked persons, and the police. The committee agreed to take evidence in Cardiff, Dublin and Belfast. The issue was one with considerable cross-border

- implications so was worthy of an inquiry by this committee. However, the committee was conscious that the subject had been looked into elsewhere, so in order not to duplicate that work the committee would confine itself to trafficking within the jurisdictions covered by the Assembly.
3. At the meeting in Brighton the committee also discussed possible subjects for future inquiries. It was necessary to maintain an appropriate balance between the environmental and the social aspects of the committee's remit. The committee provisionally agreed that the inquiry after human trafficking would be into travellers. Although it was a sensitive subject it was one which had not been explored deeply. The committee provisionally agreed that the inquiry after that would be into energy prices and energy security.
 4. Later in the day of 24 October 2011 the city of Dublin was struck by severe flooding, causing significant damage and leading to mass evacuations of properties. During debates in the plenary session the next morning, 25 October, a number of speakers suggested that committee D might look into flooding. Accordingly, the chairman undertook to consult members as to whether to conduct a short inquiry into flooding, with the aim of reporting in time for the plenary in Dublin in May 2012. Members of committee D agreed to do so, and will meet in Dublin and London to take evidence. Once the committee has finished the inquiry into flooding it will begin its inquiry into human trafficking.
 5. The chairman would like to thank the members of committee D for their work on the committee. He would particularly like to thank the members who left after the elections in 2011, many of whom were very diligent in their commitment and attendance. Thanks are especially due to Jonny Brady, the former Irish vice-chairman of committee D.

Attendance at meeting of committee D in 2011

Brighton plenary: 24 October 2011

Lord Dubs (Chairman), Senator Maurice Cummins (vice-chairman), Senator Jimmy Harte, Senator Cait Keane, David Melding AM, Michael McMahon MSP, Jim Sheridan MP, Baroness Smith of Basildon, Joyce Watson AM and Jim Wells MLA.

APPENDIX 4

Staff of the Assembly in 2011

Ireland:

Clerk: Mr Paul Kelly

Policy Adviser:
Ms Émer Deane

Clerk, Committee A:
Ms Sighle Doherty

Shadow Clerk, Committee B:
Ms Jillian O’Keeffe/Ms Jullee Clarke

Clerk, Committee C:
Ms Jillian O’Keeffe/Ms Jullee Clarke

Shadow Clerk, Committee D:
Ms Jillian O’Keeffe

Irish Secretariat:
Ms Jullee Clarke

United Kingdom:

Clerk: Miss Alda Barry (till 30 June)
Dr Robin James (from 1 July)

British Consultant:
Sir Michael Davies KCB

Shadow Clerk, Committee A:
Mr Adrian Jenner

Clerk, Committee B:
Mr Eliot Wilson

Shadow Clerk, Committee C:
Mrs Tracey Jessup

Clerk, Committee D:
Mr Nic Besly

UK Secretariat:
Mrs Amanda Healy

Media Consultant: Mr Ronan Farren