



**BRITISH-IRISH  
INTER-PARLIAMENTARY BODY**

**COMHLACHT IDIR-PHARLAIMINTEACH  
NA BREATAINE AGUS NA hÉIREANN**

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THIRTIETH PLENARY CONFERENCE

7 and 8 March 2005

Bundoran, Donegal

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**OFFICIAL REPORT**

(Final Revised Edition)

**(Produced by the British-Irish Parliamentary Reporting Association)**

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## **IN ATTENDANCE**

### **CO-CHAIRMEN**

Mr Pat Carey TD  
Mr David Winnick MP

### **MEMBERS AND ASSOCIATE MEMBERS**

Mr Harry Barnes MP	Senator Geraldine Feeney	Senator Martin Mansergh
Mr Johnny Brady TD	Mr Mike German AM	Senator Paschal Mooney
Mr Kevin Brennan MP	Mr Jim Glennon TD	Mr Arthur Morgan TD
Rt Hon the Lord Brooke of Sutton Mandeville CH	The Lord Glentoran CBE DL	Senator Francie O'Brien
Hon Tony Brown SHK	Mr John Griffiths AM	Mr William O'Brien MP
Mr John Carty TD	Mr Robin Harper MSP	Mr Jim O'Keeffe TD
Senator Paul Coghlan	Senator Brian Hayes	Senator Mary O'Rourke
Dr Jerry Cowley TD	Mr John Hume MP	Mr Chris Ruane MP
Mr Seymour Crawford TD	Ms Cecilia Keaveney TD	Mr Joe Sherlock TD
Deputy Maurice Dubras	Mr Séamus Kirk TD	Mr Iain Smith MSP
The Lord Dubs	Dr Dai Lloyd AM	The Lord Smith of Clifton
Mr John Ellis TD	Senator Joe McHugh	Deputy Mike Torode
Mr Jeff Ennis MP	Mr Michael McMahon MSP	Mr Murray Tosh MSP
Mrs Margaret Ewing MSP	Mr Kevin McNamara MP	Mr Robert Walter MP
	Mr Andrew Mackinlay MP	Senator Diarmuid Wilson

### **ALSO IN ATTENDANCE (FOR ALL OR PART OF PROCEEDINGS)**

The Minister for Agriculture and Food, Ms Mary Coughlan TD  
Mr John Swinney MSP

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## STEERING COMMITTEE

### *Co-Chairmen*

Mr Pat Carey TD  
Mr David Winnick MP

### *Members*

Mr Kevin McNamara MP  
Mr Séamus Kirk TD  
Mr Michael Mates MP  
Mr Seymour Crawford TD  
Hon Tony Brown SHK  
Mr Murray Tosh MSP

## OFFICIALS

### *Joint Clerks*

Ms Alda Barry, British Clerk  
Mr John Hamilton, Irish Clerk

### *Delegation Clerks*

Ms Alison Dickie (Scotland)  
Mr Peter Kellam (Wales)

### **Committee Clerks to the Body**

#### *Committee A: Sovereign Matters*

Ms Maeve Clery  
Mr Huw Yardley

#### *Committee B: European Affairs*

Mr Mike Clark  
Mr David Keating

#### *Committee C: Economic*

Ms Maeve Clery  
Mr Mike Hennessy

#### *Committee D: Environmental and Social*

Ms Audrey Nelson  
Mr David Keating

### *Secretariat*

Mrs Veronica Carr  
Sir Michael Davies KCB  
Miss Amanda Hay

### *Media Adviser*

Mr Mike Burns

### **British-Irish Parliamentary Reporting Association reporting team for 30th Plenary Meeting**

Mr Gerry Dunne  
Mr Patrick Marsh  
Mr Ger O'Donovan  
Mr Cameron Smith  
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Mr David Weir

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# BRITISH-IRISH INTER-PARLIAMENTARY BODY

## COMHLACHT IDIR-PHARLAIMINTEACH NA BREATAINE AGUS NA HÉIREANN

### THIRTIETH PLENARY CONFERENCE

Monday 7 March 2005

*The Body met at 9.33 am.*

#### PLENARY BUSINESS

**The Co-Chairman (Mr Pat Carey TD):** Good morning, Colleagues. It is time to begin. I therefore call the Body to order and declare it now in public session. I welcome you all to Bundoran; I hope that you had a pleasant trip here and that you will enjoy your stay. It is a great honour for me to have been appointed to the Body and to join so many distinguished parliamentarians from these islands. If Members will bear with me while I stumble through the procedures I will do my best to accommodate everybody. My Co-Chairman, Mr David Winnick MP, and I look forward to a useful plenary. I have no doubt that, in these important times, the Body will hear some significant contributions.

Before we begin, there are several housekeeping matters that I must mention. First, mobile phones must be switched off; not only do they interfere with the debate, but they interfere with the electronics. Secondly, if at all possible, Members who need to read newspapers should do so in the foyer outside. Finally, an important issue that I must remind Members of is that the proceedings of the Body do not attract parliamentary privilege.

Several new Members have been appointed since the Body last met. I have replaced Mr Brendan Smith TD, who has gone on to become Minister of State in the Department of Agriculture and Food; Mr John Carty TD has replaced Mr Tony Killeen TD, who has

since become Minister of State in the Department of Enterprise, Trade and Employment; and Senator Diarmuid Wilson has replaced Mr Conor Lenihan TD, who has gone on to become Minister of State with Special Responsibility for Overseas Development and Human Rights in the Department of Foreign Affairs. Senator Michael Kitt replaces Senator Diarmuid Wilson as an Associate Member, while Mr Trevor Sargent TD replaces Mr Paddy McHugh TD as an Associate Member. From the Isle of Man, Mr Donald Gelling and Mr Edgar Quine have been replaced by the Hon Tony Brown and Mr Edmund Lowey as full and Associate Members respectively. Members will be delighted to hear that Donald Gelling has been appointed Chief Minister of the Isle of Man Government. Therefore once Members have attended meetings of the Body, it is onwards and upwards for them.

I should inform the Body 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: from Ireland, Senator Paul Coghlan and Senator Geraldine Feeney; from the United Kingdom, Mr Kevin Brennan MP; from Scotland, Mr Michael McMahon MSP and Mr Robin Harper MSP; and from the States of Jersey, Deputy Maurice Dubras.

I should also inform Members that at the conclusion of item 4 there will be a group photograph at 3.30 pm. I know that some people are under pressure for time, but we should try to be on time for that, if at all possible.

#### ADOPTION OF PROPOSED PROGRAMME OF BUSINESS

**The Co-Chairman (Mr Pat Carey TD):** I remind Members that this morning they received a copy of the proposed order of business, and I ask them to note the revised wording of the political motion. That wording has changed somewhat from that in the draft that was circulated to Members earlier this week.

I move that the proposed order of business be adopted.

*Programme of Business agreed.*

## FURTHER PLENARY BUSINESS

### Tribute to Members

**The Co-Chairman (Mr Pat Carey TD):** It would be extremely helpful if those who wish to speak in the debate on the political motion and who have not already given their names to the Clerks could do so as soon as possible or could otherwise indicate to the Chair that they wish to speak. Although I do not want to be unduly restrictive with time, the Steering Committee has in mind that Members who are opening and closing debates should speak for about seven minutes and others for about four. Does that sound reasonable?

Before I move on to the motion, Senator O'Rourke wishes to say a word or two, but I shall not pre-empt what she wishes to say.

**Senator Mary O'Rourke:** Thank you, Co-Chairman. You talked about people being elevated and moving upwards, and I should like to congratulate you on that. Your party group is very elevated this morning; you look splendid.

I am on Committee D, of which Kevin McNamara MP has been an inspired chairman. I understand that he and others, whom I shall mention later, will not be standing in the UK general election, which might take place in May. On behalf of Committee D and on behalf of Members here, I should like to pay tribute to Kevin McNamara for his sterling service to the British-Irish Inter-Parliamentary Body.

I know that many Members have been in the Body for longer than I, but, because of my close involvement with him on Committee D, I wanted to pay a particular tribute to him. As I said, he has been an inspiration to all of us on the Committee. As we went about our business on the matters that we will discuss at the plenary, his demeanour, knowledge, sagacity, bearing and wise political judgement made a huge difference to how we were greeted and treated and to how we were able to carry out our business.

Since Kevin McNamara came on the political scene in that famous Hull by-election so many years ago, he has been steady and, as I said, sterling. I pay tribute to him, as he will not be with us at such an assembly again. I understand that Harry Barnes and Bill O'Brien will not be back either when we reassemble, and I pay tribute to them too; but I do not have the in-depth knowledge of them that I have of Kevin McNamara. I know that all Members will wish to join me in paying tribute to him and to them.

**Ms Cecilia Keaveney TD:** He has just missed it. *[Mr McNamara arrives.]*

**The Co-Chairman (Mr David Winnick MP):** You have just been expelled from the Body.

**Mr Kevin McNamara MP:** I will just go back outside.

**The Co-Chairman (Mr Pat Carey TD):** My Co-Chairman David Winnick would like to say something about the Members who will not be returning.

**The Co-Chairman (Mr David Winnick MP):** I echo Mary O'Rourke's kind words about the three British Colleagues who are retiring. Kevin McNamara was for quite some time Shadow Secretary of State for Northern Ireland, and I think we all would agree that he played a significant role in the vast improvement in relations between our two countries. Kevin has played an important role in other matters, not least in human rights. He and I sometimes disagree — not, I hope, on human rights, but on aspects of dealing with terrorism — but he has been a significant force in the House of Commons for almost 39 years, and we will certainly miss him there.

Bill O'Brien was for a time one of Kevin's Colleagues on the Opposition Front Bench. Bill has been an active Member of the House of Commons, as has Harry Barnes. Harry has at times taken a line different from that of other left-wing members of the parliamentary Labour Party over Northern Ireland. Some would say he that he has not been proved wrong. All three Colleagues have played their parts in this Body and in the House of Commons, and we shall certainly miss them.

**Members:** Hear, hear. *[Applause.]*

**The Co-Chairman (Mr Pat Carey TD):** If I may, I would like to pay tribute to another Member of the Body who will be standing down — John Hume, whose contribution to the Body, to Irish parliamentary debate and to European understanding has been phenomenal. He probably has taken more risks than any other parliamentarian in these islands in advancing what has become known as the peace process. We will be talking about that in greater detail. I am sure that I speak for all here when I pay tribute to John Hume for his work on behalf of all of us.

**Members:** Hear, hear. *[Applause.]*

**The Co-Chairman (Mr David Winnick MP):** I fully agree with Pat Carey. John Hume is in a unique position for all the reasons that Pat has given, and his contribution to the peace process will be remembered for many years. We should be very proud indeed that John Hume has been a Member of this Body.

**The Co-Chairman (Mr Pat Carey TD):** Thank you.

## RECENT POLITICAL DEVELOPMENTS

### **Mr Seymour Crawford TD:** I beg to move:

That this Body reaffirms its support for the full implementation of the Good Friday Agreement and for the ongoing efforts of the two Governments to protect and develop its achievements; regrets that in spite of substantial progress it was not possible to reach agreement last December on the two key issues of decommissioning and ending all forms of paramilitary and criminal activity; abhors the brutal murder of Robert McCartney; is greatly disappointed by the damage caused to the peace process by recent attacks and ongoing criminality, including the Northern Bank raid; re-emphasises that all parties to the agreement undertook to pursue their political objectives by exclusively peaceful and democratic means; recognises that sustainable, inclusive government in Northern Ireland requires a complete cessation of paramilitarism, including all forms of criminal activity; and, in the belief that the informal dialogue can play an important part in promoting these objectives, looks forward to the possibility of inviting representatives of the parties elected to the Northern Ireland Assembly as guests to future meetings of the Body.

I welcome the opportunity to open this important debate on recent political developments. As the Co-Chairman said, there are some changes in the motion referring to Robert McCartney and others that were not in the original. Last October, at our meeting in Chepstow, many of us were optimistic that a comprehensive agreement was possible if only we could get the leadership of the DUP onside. It is clear that significant progress was made in the talks towards that aim at the end of last year.

9.45 am

However, it is a matter of deep regret that no agreement was reached on decommissioning and the ending of paramilitary and criminal activities. It is clear that we also need the decommissioning of minds.

The Northern Bank raid was the most spectacular event in a long line of criminal activities, but the savage murder of Robert McCartney and the attempted murder of Brendan Devine have brought into the open the need for an end to paramilitarism and criminal activities. At first, there was a clear effort to make out that the death of Robert McCartney was the result of a pub brawl and was part of a knife culture. However, the bravery of the McCartney sisters and Mr McCartney's fiancée, Bridgeen, in speaking out against intimidation and all the problems that they confronted has shamed and forced the Sinn Féin leadership to do a complete U-turn. I hope and pray that the family's speaking out delivers the murderers to jail, which is what they deserve.

One of the most encouraging aspects of the McCartneys' campaign is their determination to seek justice for their brother through the courts in co-operation with the PSNI. For too long, paramilitaries on both sides of the divide have meted out their own forms of justice through punishment attacks — beatings, kneecappings, so-called Padre Pios — on troublemakers or those who

dare to cross them. Brendan Smith, a former Co-Chairman of the Body, recently commented on that in the Dáil.

Members should remember that this was not just a murder; it was the work of savage people who literally cut open the bodies and then organised a complete clean-up and cover-up. Members should also remember that the same people denied any involvement in the murder of Detective Garda Jerry McCabe in Limerick until they thought that they could benefit from the Good Friday Agreement.

Some people do not want to remember what life was like before the Anglo-Irish Agreement and the Good Friday Agreement were signed. However, my journey to this meeting yesterday, through Cavan town, Derrylin and Pettigo, clearly showed the difference. There was not one policeman in sight, there were no Army personnel, nor were there any B-Specials. I remember seeing all those people, but I also remember when that road was not even open; it was closed for all sorts of reasons. I remember it being re-opened by the great Senator George Mitchell.

People now live in a reasonably normal society. More than 3,000 people lost their lives, and far more, such as Brendan Devine of the Short Strand, will carry their injuries to their graves. The agreements have transformed people's lives. Commercial and community activities have achieved many things. There is a new community-centred police service in Northern Ireland with a recruitment policy that is starting, slowly but surely, to make policing more representative and acceptable to the communities that it serves. With the Northern Ireland Policing Board and the district policing partnerships in place, there are now comprehensive accountability structures. I commend those who remained as members of the boards, in spite of serious threats and intimidation. I also welcome the open and clear co-operation between the police forces North and South that has been cemented recently.

In the agriculture industry, which I know best, there is clear cross-border involvement in the milk and beef industries, and, of course, there is ongoing co-operation in tourism and the energy sector. Waterways Ireland is one of the victims of the failure of the talks; all work in that body is at a standstill. I recently attended a meeting at which the Ulster Canal was discussed. That is truly an all-embracing cross-border cross-community project, and it is standing still because Waterways Ireland is blocked by the failure of the Assembly.

It is important that we do not lose sight of those achievements or the limitless possibilities. We must find means to allow all aspects of the Good Friday Agreement to work. The DUP leader made it clear in a radio interview last week that he wants to co-operate. The two Governments have done everything that they can, including turning a blind eye.

The Taoiseach said in the Dáil that the Governments bent over backwards to finalise the peace process. Sinn Féin and the IRA must make up their minds about whether they want democracy to work. We must have openness, honesty and trust if the agreement is to be finalised. The people of Ireland, North and South, want the Good Friday Agreement to work: that is what they voted for.

Robert McCartney's death may not have been in vain. In the Dáil last week, the Minister for Foreign Affairs said:

"there comes a time when the old ways of doing business will not work anymore. There comes a time when responsibility demands that rhetoric is matched by actions, when a moral crisis demands clarity and precision and when the Provisional movement must act like Irish Republicans and heed the will of the Irish people."

My party leader also stated that as a party, Fine Gael will continue to oppose all forms of criminality. We will continue to speak the truth without fear or favour. If that upsets the sensitivities of Gerry Adams or anybody else, then so be it.

The motion makes it clear that the Body wants the Good Friday Agreement to work and that it wants the issues that were agreed in that agreement — decommissioning and the end of paramilitary and criminal activities on all sides — to be finalised.

We abhor the brutal murder of Robert McCartney. That murder has resulted in a sea change in many people's attitudes towards criminality. People from Short Strand who would never have dreamt of speaking out before have come forward. I have lived on the border all my life, and I have seen the difference that 30 years of trauma, murder and criminality has made. I certainly want us to move forward, not backward. Mr Ian Paisley of the DUP has put out a hand of friendship and said that he will be able to work with the agreement if criminality and other actions come to an end. Actions speak louder than words. I support the motion and look forward to the debate.

**Mr Harry Barnes MP:** It is a pleasure to speak after Seymour Crawford because he always talks a great deal of sense, as he has on this occasion. I thank Members for their kind comments about John Hume, Kevin McNamara, Bill O'Brien and me.

Of all people, I am counting chickens before they are hatched because a general election has not yet been called. I remember that in 1978 we were all waiting for Jim Callaghan to announce a general election, and he said there was not going to be one. We then went through the winter of discontent and lost. However, things seem to be different on this occasion.

I voted for Kevin McNamara in that famous Hull North by-election because I was a student at Hull University. I was newly married, and my wife, who was

a few years younger than me, voted for the first time, and she voted for Kevin McNamara. My first vote had gone to Manny Shinwell, which shows how long I have been around.

I had never been to Ireland, North or South, until the year after I was elected as a Member of Parliament in 1987. It was in the middle of the troubles, and what made an impression on me, as someone on the left wing of the Labour Party, was the fracture in the working class in Northern Ireland. In Belfast and other areas, symbols on gable ends, territories marked out in different national colours on kerbs and the peace lines that divided people were reflected in people's attitudes.

I was always attracted to the actions that trade unions in Northern Ireland took to overcome shop-floor sectarianism. Through their youth sections, they operated the 'Hands Off My Mate' campaign, which was exactly the type of approach that was needed. We needed avenues through which we could develop peace and reconciliation, and those came ultimately out of the Belfast Agreement.

Sections of the British left, which my comrades in general support, had delusions about the struggle in Northern Ireland. They saw Sinn Féin as colonial freedom fighters, which was not the case. There might have been certain aspects of that, but those were overlaid by many other different possibilities in order to work through the political nation to achieve changes. I am a member of the Socialist Campaign Group, but any article about Northern Ireland that I wrote for that organisation was published in a points-of-view column, as though I were a stranger. However, Gerry Adams was given a lot of prominence and freedom to express his viewpoint.

My attitude to Iraq is similar. Occupation has made those who some would call Iraq's freedom fighters or terrorists respond to it in an unacceptable way. For that reason, I am associated with a group called Labour Friends of Iraq, which is concerned with building a grass roots civic society. That group has learned from the lessons of Northern Ireland and pursues moves towards peace and reconciliation.

Things must be done repeatedly to encourage Sinn Féin's involvement with the political nation, and there has sometimes been a rather mealy-mouthed approach to that. There have been attempts to pull Sinn Féin further into certain processes. Seymour Crawford talked about important achievements, and we do not want to lose sight of those. However, he also described certain recent circumstances and actions that are entirely unacceptable. We must do what we can to rein in that unacceptable behaviour. We still hope that Sinn Féin can participate fully in the democratic process, but some things are unacceptable. We must take action



that forces Sinn Féin to decide whether to participate in the democratic process.

There have been other important developments — for example, the establishment of the assets recovery agencies that operate in the Republic of Ireland and the United Kingdom. The work in which those agencies have been jointly involved originated in the Republic. We learnt that we should work hard to tackle the distribution of funds from bank robberies that allow people to apparently live beyond their legitimate means, and Sinn Féin drawing in from the Provisional IRA.

Regulations on the funding of political parties are another important development, and negotiations on that are ongoing. Britain now has such Regulations, but those must be developed for Northern Ireland and worked out with the Government of the Republic of Ireland.

The fact that Sinn Féin — probably per head of its vote — is the richest political party in western Europe is something that must be examined very carefully, and action taken against it where funding comes from illegitimate sources. If Sinn Féin is not going to come in, we must look for the potential to get a power-sharing Executive back up and running in Northern Ireland, with Sinn Féin absent if necessary. However, it would work better if Sinn Féin were there, fully and properly, on the terms in the Belfast Agreement.

I do not say that Sinn Féin should be given one more chance. We should lay down the terms, and if the response is not there then we must move forward without Sinn Féin.

*10.00 am*

**John Hume MP:** I thank Members for the great support given to the peace process in Northern Ireland. It is now taken for granted that the two Governments and the two Parliaments work together, but it took a long time to make that happen. Peter Brooke is here, and I will never forget that it was he who stated for the first time ever in the British House of Commons that the only reason the British Government were in Northern Ireland was because the majority of the people wished them to be there, and if the majority changed their minds that they would leave. That was the first real step in the peace process; Margaret Thatcher took his word for that and it became Article 1(c) of the Anglo-Irish Agreement. That meant that the traditional reasons for the IRA's involvement and violence — that the British were in Ireland defending their own interests by force and therefore it had the right to use force to put them out — were removed completely.

Members may recall that, once that statement was made in the Anglo-Irish Agreement, I made a major public statement saying that Britain, now having declared its neutrality in the future of Northern Ireland,

had removed the traditional reasons for IRA violence. That eventually led to the talks that took place. Kevin McNamara was the first MP ever to raise the Northern Ireland situation in the British Parliament. It would shock many people today — but it was absolutely true — that in those days it was not possible to raise the question of Northern Ireland. Any question about Northern Ireland was always ruled as out of order: it was a matter for the Northern Ireland Parliament — even though the British taxpayer was paying for Northern Ireland. The terrible injustice and lack of civil rights could not be raised in the House of Commons. Kevin McNamara was the MP who started the campaign to have Northern Ireland civil rights raised in the House of Commons.

If we had said in the 1970s that we would be sitting here together now, people would have thought that we were mad. That is a great development, particularly for the situation in Northern Ireland, and — given that we live in a much smaller world — it is right that we should be together, not only in regard to Northern Ireland, but for all matters in the relationship between both islands.

However, there is a point in the motion that should not be there:

“that this Body ... regrets that in spite of substantial progress it was not possible to reach agreement last December on the two key issues of decommissioning and ending all forms of paramilitary and criminal activity;”

The Good Friday Agreement assumed that all violence was ended and there is no question of that continuing to be a matter of negotiation.

That matter should not be there at all. The biggest point — and one that should be made more often — is that by overwhelmingly voting for that agreement, the people of Ireland, North and South, have, for the first time in history, spoken as to how they wish to live together. It is the duty of all true democrats to implement the will of the people; that is, to implement all aspects of the Good Friday Agreement.

The agreement undermines the existence of such organisations as the IRA, which has always argued that it acted in the name of the Irish people, given that the last time the people of Ireland voted was 1918. The IRA can no longer claim to act in the name of the Irish people because North and South have voted on how they wish to live together. That major factor should be made clear: that it is the duty of all true democrats to implement the will of the people. That means implementing all aspects of the Good Friday Agreement.

That sentence should be removed from the motion, because it gives the impression that decommissioning and the ending of paramilitary activity is still a matter under discussion. It is not; it is taken for granted. The people of Ireland have voted. If the IRA acts in the

name of the people, as it has always claimed, then it should stop all violence. The IRA now acts against the will of the Irish people, who, for the first time in history, have voted overwhelmingly for how they wish to live. That point should be made clearly and as soon as possible.

That we meet today is a major factor. I thank Members for the great interest shown towards peace in our streets. We have run into difficulties, but it is our duty to implement the will of the people. If political parties refuse to be democratic, they should be told that if they are truly democratic — and I speak, in particular, about the DUP and Sinn Féin — they should implement the will of the people. If they do not, the two Governments should agree to work together to administer the Northern Ireland situation and appoint an advisory commission, drawn from all sections of the community in Northern Ireland, to assist. That suggestion is important, and, at present, such a move would put pressure on certain parties to implement the agreement.

**Senator Paschal Mooney:** I endorse the welcome to the Co-Chair, and I wish him well in his first session. This is not the first time that we have been impressed — and that is not even an adequate word — with the depth of clarity that John Hume brings to these discussions. He puts into perspective the Good Friday Agreement, which has become something of an icon. Sinn Féin has regularly referred to the implementation of the agreement, but John Hume has clarified that.

I endorse the tribute to Kevin McNamara, whom I first met as a teenager in London when I was a member of the London branch of the Northern Ireland Civil Rights Association. I spent my evenings lobbying in the House of Commons where Kevin was, as John said, a beacon at a time which, young and all as I was, I remember well, when talk of Ireland in the House of Commons was a rare occurrence.

I have said this before, and it needs repeating in the light of all that has happened in recent months. It has been seven years since the implementation of the Good Friday Agreement, seven years since the people of this island spoke; and almost 11 years since the IRA declared its first ceasefire. These meetings are always beneficial as we, on the Irish side, get an opportunity to hear, at first hand, the thinking of our UK Colleagues. I know that they, in turn, welcome the opportunity of hearing our views and perceptions on developments on the island of Ireland.

Following the bank robbery and revelations of IRA criminality, as detailed by the Irish Government, much of the recent discussion on Talk Radio has, strangely enough, been about the civil war in Ireland — it has gone back that far. It has come mainly from Republican elements, who have attempted to draw a parallel between the awfulness of the civil war and the Government's

decisions at that time, which, in hindsight, seem to have been very brutal, with executions by Government order, et cetera. However, it was sad that that type of debate was taking place in a part of the island that has developed its own institutions and its own loyalty to them. We have healed the wounds of the civil war, and this is the first generation in which the gun has effectively been taken out of southern Irish politics. I found it rather sad and an indication of the paucity of the arguments — mainly from the Republican element — that are reopening the civil war as if it happened only yesterday. Perhaps that is part of the difficulty, because De Valera opposed the treaty of 1921 through violent means. However, within four years he had led the majority of the Sinn Féin movement into mainstream political activity, and within seven years it was part of the Government of this country.

It is time past, and it must be said loud and clear that the IRA, or Sinn Féin, are hiding behind history. John Hume clarified that. There is no room any more for the IRA. It has been stated in the Dáil, and Seymour Crawford articulated it so well in his opening comments, that there was a new way of dealing with the evolutionary politics of this island, and, in that new era, there is no room for paramilitarism.

The peace process is in crisis. There is no question about that, but the Irish usually work well out of a crisis. Irrespective of how things develop, Sinn Féin is, and will remain, part of the solution. This is not a rant against Sinn Féin — it has come a long, long way, and I am on the record as saying that in this Chamber and also in the Irish Parliament. We applaud Sinn Féin for that, but it must face the reality of what has been happening in recent months. For the benefit of our UK colleagues, I wish to state that most people in this country are deeply offended by what they have heard over the past few months. Moreover, they are scared, because it has emerged that a parallel government of sorts has been operating on this island with its own army, police and minister for finance, who has been capable of laundering money. Over the past 10 or 15 years, that dual strategy has been in operation between the organic links that are Sinn Féin and the IRA. That has scared people, and that fear has represented itself in recent opinion polls where support for Sinn Féin has dropped — the party, least of all, should be surprised at that. Once again, it is important to emphasise that Sinn Féin is part of the process and part of the solution.

Everyone in the South welcomed Dr Paisley's remarks in a remarkable interview. I am not sure if any UK Colleagues saw the interview on Irish television with the Northern editor of RTE, Tommie Gorman, but they ended up having a discussion and a laugh over two boiled eggs that he and the Taoiseach were having during talks in the Irish Embassy. Dr Paisley has come a long way as well. Therefore, there is a great deal of hope.

10.15 am

Finally, I wish to say that all of us must admire the courage of the McCartney sisters. It is a sad reflection on those who have influence over the perpetrators of that thuggish murder — and it is a murder. Gerry Adams talks about “manslaughter”— he obviously knows more than the rest of us if he used that word. Seventy people witnessed Mr McCartney’s murder, and not one of them has come forward. Ten people have been arrested by the Police Service of Northern Ireland; all have exercised the right to silence. It seemed to me that what the McCartney sisters said after Gerry Adams’s speech at Sinn Féin’s Ard-Fheis at the weekend, although they did not use these words, was, to use the common parlance: “Sinn Féin are talking the talk, but they need to walk the walk.” Sinn Féin is saying what should be done and encouraging people to tell the courts what they know — and such encouragement is to be welcomed — however, until there is clear evidence for the police to work on there is not much point in encouraging people.

Those of us who have grown up on this island know that the intimidation is subtle; it is not overt. As someone said to me yesterday: “If any one of those 70 people decides to come forward, they would be named and would have to give their evidence in public. It may take some time before they are intimidated; it might not necessarily happen next week or next month.” That is the nature of what we are dealing with.

It is important to say that, despite all that has happened, I do not want anyone to get the impression that Sinn Féin is being demonised, particularly by my party. I commend the Taoiseach for repeatedly and publicly stating that Sinn Féin is part of the process and will continue to be so.

**Mr Jim O’Keeffe TD:** The first point that I wish to make is that we are meeting in the shadow of the death of Robert McCartney, but we are also meeting in the sunlight, as it were, that has been brought to the process by the reaction of Robert McCartney’s sisters. At this stage, it is not possible to assess how far that sunlight will reach — I believe that it may have a dramatic effect on the development of affairs in Northern Ireland.

Everyone has commended their remarkable courage in facing up to the Provisional mafia. I am lost in admiration for what they have done and how they have done it and for maintaining their composure in the face of relentless pressure from the media and from others since they took their brave stand. However, the real service that they have rendered to the Irish people is in ripping away the hypocrisy, the lies, the subterfuge and the falseness of the Provisional movement. In so doing, they have given courage to countless others to stand up to the thuggery and criminality of the Provisionals. They have exposed the pseudo-patriotism and the

intimidation of, in my view, the greatest band of thugs this island has ever seen. I believe that the McCartney sisters will achieve justice for the murder of their brother; but they have also set in train a process that may obtain justice for many others who have been murdered and robbed by the Provisionals and by other gangs on this island. I hope that their marvellous work will continue and will bear fruit.

The second issue that we have not considered before is: what is criminality? To a degree, there has been no agreement on the part of many of those involved on what constitutes a crime. I was interested in a recent interview that Jeremy Paxman conducted with Mitchel McLaughlin, the chairman of Sinn Féin. I took the trouble to get a copy of what was said. I could not believe what I read: it summed up the problem with criminality.

Paxman said to Mitchel McLaughlin that

“all assert that this [Robert McCartney’s] was an IRA murder”.

He asked him, “Do you accept that?” McLaughlin said “No.” Paxman then said:

“Just to be clear where you’re coming from, Mitchel McLaughlin, is the IRA, has the IRA been involved in crime anywhere in Ireland?”

McLaughlin replied: “In my opinion, no”. Paxman went on to ask him:

“Will you now recommend ... go to the police with whatever information they have on this killing?”

Five times he put that question, and five times Mitchel McLaughlin, the chairman of Sinn Féin, evaded it.

We are in a situation where there is no acceptance of what constitutes a crime. Provisionals have been involved in such activities as murder, robbery and racketeering. To any ordinary person those constitute crimes, but they do not accept that. The second half is that they do not accept that people with a complaint about such activities should go to the police. That must change.

The third thing — and Paschal Mooney spoke about demonising Sinn Féin — is that this is not confined to the Provisional movement. The Loyalist gangs and thugs are the other side of the equation. They too are involved in racketeering, intimidation and defending their patches. Perhaps, rather than specialising in robbery and smuggling, they specialise in drugs and prostitution. However, it is all part of the same thing.

Some aspects need to be examined and we must ask where we go from here. First, let us bear in mind the contribution of John Hume, who for so long has brought such a sane voice to the affairs of Northern Ireland. During his lifetime there has been an enormous amount of progress, from the Sunningdale Agreement, to the Anglo-Irish Agreement and right up to the Good Friday Agreement. There is now an absence of many of the activities carried on over that period. I am

thinking of Provisional murders in the context of armed killings of policemen and soldiers. So there is progress.

The question is: where do we go from here? We must ensure that the spotlight stays on criminality until there is a total acceptance that it must be removed from Northern Ireland society — indeed, from the entire island of Ireland. That must be done. There was mention earlier of the Criminal Assets Bureau and its Northern Ireland equivalent; they must be actively involved on both sides of the border. There must be an examination of where the huge proceeds of that criminality have gone, and are going, because — let us be blunt — there is a concern that much of the money has been laundered and is now being used to corrupt the democratic process. It is vitally important that all political parties on this island operate under the same rules and the same fund-raising constraints. That does not happen at present.

We must see an end to criminality of all kinds. To some extent, we have moved away from the old problems concerning calls for decommissioning. That is no longer the issue. I want to see decommissioning and an end to weapons, but it is symbolic, because guns that have been got rid of can be replaced the following week. What is needed is an end to criminality and an end to the mindset that appears to give people an entitlement, whether in the Short Strand or anywhere else, to rule the roost and run things as they see fit, to intimidate people who question them in any way, and enforce that intimidation, leading in some instances to murder. That is the main problem.

Sinn Féin must accept that the outcome of the McCartney murder is not that it will have an adverse effect on Republicanism. The problem for Sinn Féin now is that it is exposed, not because of the murder but because of the activities of the McCartney sisters.

Progress will not be made until it is accepted that criminal activity cannot be supported or endorsed. I hope that Sinn Féin will have a change of mindset and accept the fact that that type of criminality must end. I hope that Sinn Féin will be prepared not only to suspend a few members but to get rid of any members who are not prepared to accept fully the rule of law and the normal democratic process that has been adopted by all political parties on this island. When that happens, I can foresee Northern Ireland's problems coming to an end.

**The Lord Dubs:** I would like to add my tribute to those Colleagues who will not be with us at the next plenary: William O'Brien, Harry Barnes, John Hume and Kevin McNamara. They have all made an enormous contribution not only to the work of the Body but to the cause of peace and reconciliation in Northern Ireland. They will be much missed from future debates.

The main strength of the present situation is that the two Governments have operated together. They cannot be separated by even a thin piece of paper. That is important if the peace process is to be re-established. Years ago, it would have been amazing if the two Governments had co-operated so well. It is important that the two Governments continue to work together harmoniously, as they have done recently.

An important lesson can be learnt from the Robert McCartney tragedy: it was not the Governments or the politicians who pointed the finger at criminality and murder; it was the ordinary people. That is stronger than the Chief Constable, Hugh Orde, saying: "This is what happened." Ordinary Nationalists and Republicans said: "This is what has happened, and the criminals must be brought to justice." If events had unfolded in any other way, the impact would not have been as strong.

Until all the main political parties in Northern Ireland support the new policing structure, there will always be enormous difficulties. I hope that Sinn Féin will learn the lesson that it cannot boycott the Police Service of Northern Ireland. The only way in which Sinn Féin can properly represent the people whom it claims to represent is to ensure proper law and order and policing. That can only happen if one of the largest political parties in Northern Ireland throws its full weight behind the police service and agrees to work on the policing bodies. I hope that that will happen soon.

I agree with Jim O'Keeffe's comments on decommissioning and criminality. Symbolically, decommissioning is important, but in the day-to-day lives of ordinary people in Belfast, Derry or wherever, it is criminality that threatens their well-being. Decommissioning is seen as a remote issue that is of concern to politicians, whereas criminality, intimidation and coercion affect day-to-day lives and the sense of whether conditions are improving.

It may be a long haul before devolution is returned to Stormont because there will probably be a general election in the UK, and there is also the marching season. Whatever the faults, and whatever changes we are entitled to demand of Sinn Féin, at some point the party must be brought back on board if devolved rule is to be re-established. We must not push people out so far beyond debate that it is impossible to bring them back in.

*10.30 am*

That is a difficult path to follow. On the one hand, we must condemn what has happened, but, on the other hand, we must say to Sinn Féin: "When this gets sorted, and you must sort it, you have to play a leading part in the Government of Northern Ireland, based on the political support you have from the electorate."

Finally, I wish to speak about the last two lines of the motion, Co-Chairman. By the way, I forgot to congratulate you; I am delighted that you have assumed the position of Co-Chairman.

The motion mentions the possibility:

“of inviting representatives of the parties elected to the Northern Ireland Assembly as guests to future meetings of the Body.”

I hope that that can be considered, although I appreciate that there are difficulties. One of the Body’s weaknesses is that Unionist parties from Northern Ireland do not attend. Many of us have argued that it is desirable that they should attend, and many of us have tried to persuade them to play their full part. They would find the mood and atmosphere much more supportive of, and sensitive to, their concerns than they might imagine. It seems a pity that Unionists feel unable to take part in our discussions. They would find that they would not be out of line with many points made by politicians, North and South. The SDLP is represented, of course, by John Hume, although this may well be his last attendance. It might be a good idea to invite representatives of Northern Ireland Assembly parties as guests in future. I do not mean that they should be invited to speak to the Body in assembly; however, had they been guests they could, for example, have attended last night’s reception. It is a way of allowing informal conversations to take place. I welcome the fact that that is a possibility for the future.

**Senator Martin Mansergh:** First, I congratulate you on your appointment as Co-Chairman, Mr Carey. I also join tribute to departing Members, some of whom have made historic contributions to peace in Ireland.

Deputy Seymour Crawford outlined the long distance that we have come in 10 years and the benefits. However, he also underlined the distance left to go — the final 20%. The events of the past two months have highlighted the gap in implementation and completion. John Hume is absolutely right: it was inherent in the commitment to exclusively peaceful and democratic means that was first set out in the Downing Street declaration, then in the Mitchell principles and then in the Good Friday Agreement that that would comprehend a disposal of arms and an end to criminality.

There are those who think that we are only now getting serious about some of those matters. I remind Members that both the UDP and Sinn Féin were suspended for several weeks during the negotiations that led to the Good Friday Agreement because of murders for which their respective paramilitary organisations were held responsible. I remember my party leader, in January 1996, when there was a spate of punishment beatings, arguing that that was a breach of the ceasefire. Therefore the notion that we have all tolerated or turned a blind eye to such acts is not right. The issue of principle was clear from the beginning, but the present situation

highlights the need to complete the process. What we require from all paramilitary organisations, including the IRA, is a full commitment to the democratic process and to the agreement: that means that they must retire.

I cannot fault the words that Gerry Adams and Martin McGuinness uttered over the weekend on the McCartney killing; however, those words must be followed by action. I was asked on Saturday whether I trusted the Sinn Féin leadership. I replied that I trust the necessities that face it.

I have great faith in the strength and resilience of Irish democracy. One nonsense that has been mentioned is that all democratic parties in Ireland are somehow terrified of Sinn Féin. I am not in the least terrified of Sinn Féin, and I do not believe that my fellow democrats in the Oireachtas are either.

**Some Members:** Hear, hear.

**Senator Martin Mansergh:** Those of us who want a united Ireland must learn to walk before we can run, and that means implementing the Good Friday Agreement. There is no point in talking about Green Papers on a united Ireland until we make the Good Friday Agreement work, or at least do everything in the power of Nationalist and Republican Ireland to make it work; and that is not being done at present.

We must also remember that the Good Friday Agreement contains a British commitment to withdraw, if a majority in both parts of Ireland wish it. That requires a total reorientation in Republican thinking. The Republican movement has not fully internalised the fact that the model of coercion — whether against Unionists or Nationalists — simply does not work. Moreover, the way things are continuing is not winning a single convert on the Unionist side.

Independent Ireland has been, and has proved to be, particularly in the past couple of decades, a great success. How can Unionists be brought on board to that in any shape or form? They will not, so long as the notion exists that people are trying to force them into a united Ireland by one means or another. The peace process was built on the democratic Nationalist consensus, which, in the Good Friday Agreement, turned into a democratic consensus. I regret that, at present, the Republican movement has moved away from that consensus; it must rejoin it. Republicans insist, one can argue, on the justification that they did not lose the war; I hope that they are not about to lose the peace.

**The Lord Glentoran:** First, I wish to associate myself with the compliments that have been paid to Colleagues who may be, to take Harry Barnes’s point, here for the last time. I have certainly very much enjoyed their company during my time on the Body; I hope that we continue to meet from time to time.

I welcome the motion, and the work done by the Steering Committee in agreeing its detail. I knew a little of what was happening behind the scenes, and I congratulate the Steering Committee and its Co-Chairmen for its achievements. I also congratulate my colleague Lord Brooke, who played a part by substituting for Michael Mates.

Political parties' funding has been mentioned, and that is an important point. To get to the situation in hand, only a few weeks ago at Westminster, I heard Gerry Adams refuse to accept British justice when asked to by a colleague of mine, Baroness Daphne Park. I wonder whether he still stands by that comment. My thinking, as a result of some of the contradictions in his statement, is that Republicanism in Ireland is imploding. Further down the road, that offers an opportunity as well as risks. It offers an opportunity, first and foremost, to Sinn Féin, the leading Republican party in Ireland. The risks are a further fracturing of Sinn Féin/IRA's aims and the hardening of positions between doves and hawks.

Sinn Féin has an opportunity to grip that fractured organisation — because that is how the organisation appears to me — and, as has already been made clear by Paschal Mooney, stamp out criminality and the bad side of Irish Republicanism. The opportunity exists to bring that party together and to make it a fully credible, democratic organisation.

That opportunity should be taken now — there is an impasse in the peace process that exists mainly because the Sinn Féin leadership is on the back foot and there clearly are fragmentations in its management. When something is broken, it must be mended. I sincerely believe that there must be a whole, competent and trusted organisation representing Irish Republicanism, and that organisation is Sinn Féin.

The situation at this stage, and I am not passing the buck, is essentially an Irish one. I say that because those Irish Members who have already spoken strongly today and the Irish Government will have considerably more influence over Sinn Féin/IRA activities and outcomes, and the way in which Sinn Féin/IRA goes forward. However, I do not negate the British role. The British Government, and Northern Unionist parties in particular, must stay strongly onside and in the team. They must continue to roll the pitch and assist all Irish people to achieve a positive, good, lasting and trusting involvement and development from what is, at present — I may be going over the top — a crisis in the peace process.

**Ms Cecilia Keaveney TD:** Ba mhaith liom ar dtús céad míle fáilte mór a chur roimh gach aon duine atá anseo i nDún na nGall inniu. Tá an ghrian ag soilsiú agus tá muid le chéile. Beidh cruinniú maith againn.

I am a Deputy in Donegal, and I welcome all Members here. The sun is shining, and it is great to have people among us. I hope that we can have a good meeting

over the next couple of days. I acknowledge Pat Carey's new role as Co-Chairman. I wish him well; so far so good. I also acknowledge the retiring Members — particularly those on my Committee, Harry Barnes and Bill O'Brien. They have been good fun as well as important contributors to everything that we have done. Nor will I forget Kevin, but I do not think that I shall get rid of John Hume so easily. He will be on the electoral register in my constituency, as he lives three miles down the road from me. I am being totally parochial as usual.

At Chepstow, people said that they were optimistic that matters would be resolved by Christmas 2004. Were they not resolved by then, the caveat was added that Britain's presidency of the EU and the British elections would cause difficulties, as they would take precedence. I agree with what John Hume said. When one talks about resolution, the phrase "substantial progress has been made" is used. That phrase's significance depends on where one starts from — from when was the substantial progress made? We are talking a large number of years at this point. Members may say that I am too enthusiastic to see us achieving a resolution, but substantial progress was made when the ceasefire was announced, when the armies disappeared from the border and when the bombing campaign ended.

Since then, like many others, I am frustrated at what I see as a lack of substantial progress in the recent past. Issues such as decommissioning were in the Good Friday Agreement, and therefore we are not at the stage of renegotiating it. It is already there; it is done.

I agree with what previous speakers said about criminal activity. Perhaps, for clarity, it should be stated in the motion that criminal activity will be interpreted by its dictionary definition.

I am sure that everyone abhors the manner of Robert McCartney's vicious and savage death — his murder. The bravery of his sisters can never be overstated. It is easy for people who do not live in those communities to make value judgements about what people should or should not do. When one lives and has grown up in those communities, it is completely different to show bravery such as that of those girls and Robert's partner.

*10.45 am*

Alf Dubs made the point that if the Governments had come out as strongly, it would not have had the same impact. It took those at the grass roots to say: "Enough is enough. No more. We want to see a resolution and people brought to justice." They are right, and it is very important that we continue to support those people and to say that they are right to come out; they are right to be brave, and that they will be supported by anyone who can do so in the face of the intimidation by which they rightly feel threatened.

The motion mentions our being:

“greatly disappointed by the damage caused to the peace process by recent attacks and ongoing criminality”.

It must be re-emphasised that ongoing criminality and attacks are not new. All sorts of racketeering and protection rackets have been running for decades on all sides. Some say that there is an assumption that politicians in the South are worried about the political rise of Sinn Féin. I will fight politics with politics. However, I disagree with Martin Mansergh in that I would be afraid if a number of people were going around with CS gas canisters and stun guns, and possibly following TDs. As a female politician, I feel threatened by that; perhaps the males feel the same. However, I will fight politics with politics. I wish to place that on the record.

The role of the Criminal Assets Bureau is important, particularly now that assets recovery bodies exist on both sides of the border. They should maximise co-operation at a cross-border level because that has massive potential.

I agree with inviting representatives of the Northern Ireland Assembly to meetings of the Body because we are always talking about people, as opposed to talking to and with people who are at the core of the issues. Members are in Donegal, and I always aspire to the reality of what a Donegal man, Tip O’Neill, asked for: that all politics should be local. I want to see that happening, because none of us wants a society in which we accept people being shot in the hands, knees or ankles. Those shootings seem to be passed off as necessary evils; they are not. All sides should embrace the police forces, and everyone should get involved in ensuring that the police service is fair, if they do not currently see it that way. A society in which people get their throats slit is not acceptable, and the perpetrators of such deeds must be brought to justice.

For many years, in many countries, ethnic cleansing was a terrible reality. At the moment, a new phenomenon poses a very big threat to solving crime: forensic cleansing. People must turn their backs on continuing violence.

To be slightly parochial, I am frustrated as a Donegal TD, in an area that is north of the North. Our solutions still remain with the Executive on physical infrastructure, health infrastructure, the common, boring day-to-day issues of breast checks, cervical smears, prostate cancer checks, of roads, rail and air services to the area. Boring, day-to-day, bread-and-butter issues must be solved in a north-west context, and in a North/South context. However, a return of the Northern Ireland Assembly seems far away. We cannot afford the continuing vacuum. I appeal to those who can change things to come on board. Let the boredom of politics become local, so that people feel that they can interact with the infrastructure that is

in place, whether it be the police service or political institutions.

Later today, we will debate a motion about how our various regions can promote themselves on the international stage. I wonder what the world’s perception is since the recent murder of Robert McCartney and the massive bank robbery. As a country and an island, Ireland deserves a better perception than that which has emerged from brutality, murders and punishment beatings, and from the intimidation that prevents people from engaging in democratic processes, using the available services and trying to find solutions.

Undoubtedly, solutions must involve everybody; how they are achieved will rely on visible, positive action — not on nice words. A phrase was used earlier; that it is one thing to talk the talk, but quite another to walk the walk. The Body would gain from the presence of Assembly Members so that it could talk with them rather than about them.

The Good Friday Agreement remains the only show in town. I speak desperately, and with great frustration, as someone who lives in this region and realises how many solutions are absolutely predicated on political progress. I agree with John Hume: let it be joint sovereignty; let it be whatever it is. Decisions must be made so that solutions can happen. Areas such as the north-west are in limbo, and they cannot afford to be. Go raibh maith agat.

**The Co-Chairman (Mr Pat Carey TD):** Before I call Mr Andrew Mackinlay, I remind Members that there will be a coffee break at 11 am, which is in around 10 minutes’ time. I will call Mr Mackinlay now, and I hope that we will also hear from Mr Joe Sherlock TD before the break.

**Mr Andrew Mackinlay MP:** Thank you, Mr Co-Chairman. I congratulate you on your appointment and extend my best wishes to Colleagues who are departing from the Body.

Sitting next to Kevin McNamara, I am reminded of going to my earliest Labour Party conferences in the late 1960s and early 1970s, when there was a big fringe meeting — the Campaign for Democracy in Ulster — involving people such as Paul Rose MP, Jock Stallard MP, Justin Keating TD, Marcus Lipton MP, Ivan Cooper MP, Stan Orme MP, Austin Currie MP, Gerry Fitt MP and others who brought home to an important part of the United Kingdom the need to address the wrongdoings and injustices in Northern Ireland. It is the end of an era to see people like John Hume and Kevin McNamara formally departing the Body, but they have travelled a long way.

I wish to focus on the second half of the motion about inviting representatives of political parties to the Body as guests. I cannot disguise the fact that I am

angry and irritated. The Official Report of the Body's deliberations — and I know that Mr Carey has read reports of previous sessions — shows that that issue has come up time and time again. At first, there was resistance from the Steering Committee, who said that it was not possible for MLAs to attend the Body. That was its opening position. In subsequent plenaries, the Committee grudgingly said that it would consider the matter. However, we have not really moved on.

I am disappointed with my good friend the Lord Dubs, who said that, although MLAs should be guests to dinner and that sort of thing, they should probably not be invited to speak at the Body. If I have misrepresented Lord Dubs, he may clarify himself. The Body should set itself higher ambitions than that. Of course, any guests of the Body should be invited under the terms that they wish to attend. If the DUP would agree only to attend an informal dinner, that would be a worthwhile achievement that I would fully support. However, the Body's ambition should be for MLAs to take part in the plenaries. It seems absurd not to seek that, and many Members have repeatedly expressed that wish during previous sessions.

If the Body approves the motion, I hope that the Steering Committee will acknowledge it as a decision of the Body to try to bring about the participation of MLAs at its plenaries, and that that should begin forthwith. To their credit, many Members from the Oireachtas have reached out to the DUP on a bilateral basis. That shows that some of the objections raised during earlier sessions about the unlikelihood of there being any communication with the DUP were wholly false.

In any event, there are other parties in the Northern Ireland Assembly. We tend to forget about the Alliance Party, to which we all owe a great deal and which kept things going in difficult times. As a result of the rather convoluted constitutional arrangements, its members had some painful and difficult decisions to make about their designation. Members of that party have attended meetings of the Body enthusiastically, and I am sure that they would do so again. I am also sure that we could get representatives from the SDLP to attend.

Colleagues should remember that in any high street in Northern Ireland, one is falling over oneself for MLAs' offices. There are more MLAs' offices in Northern Ireland than branches of WH Smiths. They are getting paid; they are looking for a role, and they should have one. They should be encouraged to attend meetings of the Body. It is a matter of fact that, although the Assembly is suspended, MLAs across the political spectrum see it as their role to act in the traditional way of all legislators — taking up casework and pursuing issues with United Kingdom Ministers. It is ludicrous to exclude MLAs from coming to this Body, as the Steering Committee has done in the past.

Although it is mentioned in the motion, we have not explicitly touched on the absence of government in Northern Ireland. Basically, the statute book is 25 years old and does not contain much modern legislation, especially on the environment and so on. We could further explore those issues in this Body.

I may raise this matter in tomorrow's debate on Committee A's report, but I hope that the Steering Committee will consider issues of bilateral interest between the Republic and the United Kingdom, and issues involving the Isle of Man and Guernsey and Jersey. One important example is the Identity Cards Bill currently before the United Kingdom Parliament. Frankly, the British Home Office has forgotten the implications that the Bill could have on the common travel area.

It is particularly serious for places with a common land border, such as Donegal, but also for the increasing number of people who commute weekly between the Irish Republic and the United Kingdom. The Home Office has not thought about the serious ramifications of this unique situation; however, Committee A shall address that. The Irish Government discussed the common travel area at the recent British-Irish Council meeting. I do not know what was discussed, but it has not been thought through. We could discuss such matters and raise them productively with our respective Governments.

Although I was encouraged to hear about Ian Paisley's interview with RTE in which his mood suggested that he was keeping the doors open, no one can overstate the damage that has been done to the self-confidence of what I would call ecumenical Unionists. Until a few weeks ago they had moved a long way and led reluctant members of their constituency associations and wider constituencies to the prospect of sharing government once again.

Recent events have been a big blow to them, and sharing government will be enormously difficult for those men and women of goodwill who were trying to persuade their communities to draw a line under the events of the past 25 years. Individually and collectively, we need to put much more work into ensuring that that those people can sign up to the Executive if and when circumstances change.

Even if there were fairly immediate mea culpas from several people or organisations, some form of resolution of the bank robbery and a full disclosure of what is known about the McCartney murder and other crimes, decent, enthusiastic ecumenical Unionists would not feel able to sign up overnight — they have really had their legs cut from under them. Sufficient attention has not been paid to the difficulties that they face.

11.00 am

**Mr Joe Sherlock TD:** Co-Chairman, I congratulate you on your appointment. I also wish to pay tribute to



others, including Kevin McNamara. I had a great experience with him on Committee D when we addressed the question of special needs, and we have had many meetings together. He is an impressive politician, and his leaving will most definitely be a great loss to the Body.

The motion states that:

“this Body re-emphasises that all parties to the Agreement undertook to pursue their political objectives by exclusively peaceful and democratic means; recognises that sustainable, inclusive government in Northern Ireland requires a complete cessation of paramilitarism”.

That is the main issue at hand. The Irish people said in a recent poll that they support the Good Friday Agreement, and that they want to see its implementation through exclusively peaceful politics. On the Short Strand issue, the grieving McCartney family must be commended for their efforts.

I wish to make it clear that at meetings of the British-Irish Inter-Parliamentary Body, we tend to introduce provocative statements that can isolate either side. To put in my own words: the message from this meeting is that the British-Irish Inter-Parliamentary Body wishes to see exclusively peaceful politics. We want both Governments to achieve this, and that should be encouraged; the door has not been closed. The British and Irish Governments enjoy great co-operation. We must call on the Governments to make every effort to bring the parties together and advance the political situation. That is the only solution to the problem, and it can be achieved.

**The Co-Chairman (Mr Pat Carey TD):** We shall halt the debate; the first Member to speak after the break will be Robert Walter MP. I ask that we return in 15 minutes because there is a long list of Members who wish to speak, and we must conclude the debate at 12.15 pm. We shall resume whether or not Members are present.

*The sitting was suspended at 11.02 am and resumed at 11.27 am.*

**The Co-Chairman (Mr Pat Carey TD):** We must end the debate at 12.15 pm, and Lord Brooke will wind up at around 12.05 pm. I remind Members who have yet to speak to be as succinct as possible.

**Mr Robert Walter MP:** Co-Chairman, I echo the warm welcome to you that Colleagues have expressed this morning. We are delighted to have you in the Chair.

At previous meetings of the Body, I have been critical of the principal motion, in that we have spent too little time discussing matters of common interest between Britain and Ireland outside the question of Northern Ireland. However, on this occasion, the sense of frustration throughout these islands with the events of the past couple of months makes it absolutely right and timely that we should be discussing the motion before us.

I shall start by picking up on something that John Hume said when referring to comments made by Peter Brooke; I emphasise that as a British Member of the House of Commons, I believe that there is no desire on the mainland of the United Kingdom for a post-imperialist, post-colonial role for the United Kingdom in any respect with regard to Northern Ireland. In fact, if one were to stop people on the streets of my constituency, I am sure that their perception would be that Northern Ireland is a drain on the British taxpayer and that its people can do whatever they like. However, while Northern Ireland remains part of the United Kingdom — in the same way as the Shetland Islands, the Isle of Wight or Cornwall — it is our duty to defend that position, if it is one that is arrived at democratically.

I do not wish to rehearse everything that has already been said with regard to the Good Friday Agreement. It is a matter of common decency and human rights in any democracy that people should be able to live and act in an environment without weapons or criminal activity among those who seek to govern.

*11.30 am*

I wish to address two issues, and I apologise if some of my Irish Colleagues think that they are Westminster matters. Those matters are relevant to the debate, and one has been mentioned in passing this morning. First, I turn to the United Kingdom general election, which we anticipate on 5 May, although the Prime Minister has yet to confirm the date. It will be the first to be fought under legislation introduced just before the last election — the Political Parties, Elections and Referendums Act 2000 — and under the guidance of the Electoral Commission.

The Act contains several provisions. Forgive me if I bore Members slightly with one in particular. I led for the Opposition in taking the Bill through the House; I sat through the Committee Stage and I know every clause inside out. One section deals with donations to political parties; it was very much part of the Act that there should be not only accountability on virtually all donations — and certainly any sizeable ones — but that it should be unacceptable for British political parties to accept foreign donations. However, there was an exception, which was Northern Ireland.

We introduced an exception for Northern Ireland political parties on one official ground and one unofficial ground. The unofficial ground was that some Northern Ireland political parties might collapse without foreign donations. The official ground was that there are political parties — plural — in the North that are organised on an all-Ireland basis. The only two that I believe to be organised on an all-Ireland basis are the Green Party, which does not receive many foreign donations, and Sinn Féin.

The exception was granted on the basis that in the Irish Republic, political parties could receive foreign donations that were unregulated and therefore impossible to control. The legislation in the Republic has since changed, and we should now revisit that matter and make it a provision that we all fight elections on the same basis, namely that donations must come from domestic and accountable sources. We should not have a gaping hole for the benefit of only one political party, and particularly one political party in the North of Ireland.

The second issue concerns democracy in Northern Ireland. I wholeheartedly agree with Andrew Mackinlay's point about Members of the Northern Ireland Assembly coming to participate in our debates. We must overcome in any way possible the democratic deficit in Northern Ireland. If there is to be a short time — and I hope it is short — before we can implement the Good Friday Agreement, we should enhance the democratic rights of the people in Northern Ireland in that time. We should democratise direct rule.

In the House of Commons, we already have the mechanisms to do that. There is a Northern Ireland Grand Committee, on which every elected Member of Parliament from Northern Ireland has a right to sit. The House of Commons has the power to enhance that Committee so that it can represent the people of Northern Ireland. It should meet on a much more regular basis — possibly even weekly — in order to hold the Secretary of State and Northern Ireland Ministers to account for what they are doing in Northern Ireland, and to be more directly involved in the passage of legislation that relates to Northern Ireland.

Last week, I was in the ridiculous position of receiving e-mails from people in Northern Ireland, lobbying me about education legislation in Northern Ireland. I should not be involved in that, but Members of Parliament representing Northern Ireland constituencies should be involved in education legislation for Northern Ireland. We must close that democratic deficit and allow the democratic political will of the people of Northern Ireland to be heard.

**Mr Séamus Kirk TD:** I join other Members in wishing well to Kevin McNamara, Harry Barnes, Bill O'Brien and John Hume if the election is called on 5 May. If it is not, they will be available for the next plenary meeting, which will be in October. Pat Carey, I would also like to take the opportunity to congratulate you and wish your good self well in your role as the new Co-Chairman on the Irish side.

This plenary meeting in Donegal is happening at a time when there is an unfortunate vacuum in the process of progress in the North of Ireland. In the past, several of us have avoided looking back at history to find solutions for our dilemmas. However, I hope that I will be excused for making one short visit back to the

eighteenth century. As we know, one of the original founders of the concept of Republicanism was Wolfe Tone. A statement he made in August 1796 read:

“To unite the whole people of Ireland, to abolish the memory of all past dissension and to substitute the common name of Irishman in place of the denominations of Protestant, Catholic and Dissenter — these were my means.”

That is probably one of the more famous passages in Irish history, and it is as relevant today as it was when Wolfe Tone penned it in the eighteenth century.

Ireland has long asserted its independence, and in recent years, more than just achieving national independence, we have enjoyed the fruits of it since economic and social development have taken off. We are working hand in hand with the British Government in attempting to bring a lasting settlement to the age-long conflict in the North of Ireland.

Unfortunately, Tone's aspirations for breaking down the barriers between Catholic, Protestant and Dissenter are yet to be fulfilled. Constitutional Republicanism in the South and constitutional Nationalism in the North have played central roles in the delivery of 10 years of relative peace in the North. Leaders of militant Republicanism such as Gerry Adams, Martin McGuinness and others must be praised for bringing their followers to the negotiating table.

However, unfortunately it must be noted that many elements of the militant Republican family have been engaged in acts of despicable violence — never mind criminal acts. Euphemisms such as “punishment beatings” have come into common usage. Let us spell out what these punishment beatings entail. Young men, ironically judged to be engaged in criminal acts, have their hands bound together and are shot through both hands — a “Padre Pio”. What is Republican about such actions?

Republicanism is not about supremacy. It is about egalitarianism. The essence of the ideal republic is justice. Plato said:

“no government provides for its own benefit, but... it provides and prescribes what is for the benefit of the subject, seeking the advantage of him who is weaker, not the advantage of the stronger.”

There is an onus on the leaders of militant Republicanism to live up to the lofty ideals that they often espouse.

The Sinn Féin leadership consistently states that it has a democratic mandate. However, a democratic mandate carries with it responsibilities. Gerry Adams says that he has taken risks for peace, and he has. Dan Breen, a prominent figure in the war of independence and founding member of Fianna Fáil, took a risk in 1927 when he turned his back once and for all on physical force and, despite temporary suspension from the party, entered Dáil Éireann and delivered on his democratic mandate.

That was leadership and bravery. The Sinn Féin leadership should follow Dan Breen's lead and enter the truly democratic process and leave behind once and for all the baggage that degrades the term "Republicanism". The time for equivocation is simply over.

The deeply troubling fallout from the Northern Bank raid and the murder of Robert McCartney have led to a serious erosion of trust. It may suit some political parties in the North to maintain the status quo, where the Assembly is in permanent suspension and the formation of an executive is some distant goal. Let me say that limbo is not an option.

Unfortunately communities in the North are divided. After 10 years of the peace process there are twice as many peace walls in Belfast as there were before the peace process started. Public sector housing is still overwhelmingly segregated by rigid sectarian geography. Political representatives of all hues have a responsibility to represent their people. They can do so only when engaged in a purely political process.

All the people of this island voted overwhelmingly for the Good Friday Agreement in 1998. A great deal of it has been implemented, but the process of implementation and the momentum of that process must be maintained. Brutality, intimidation, fear and criminality have no place in an Ireland seven years on from the signing of the Good Friday Agreement.

As John Hume said earlier, the reason for paramilitary violence ended with the 1998 agreement. Sinn Féin must take the quantum leap. The time is now: Sinn Féin must fully embrace the democratic system and open up a new era of peace and prosperity in the North. The building of trust and confidence will deliver that peace and prosperity.

**The Lord Smith of Clifton:** I congratulate you, Mr Carey, on your appointment as Co-Chairman. I acknowledge the contributions of our departing Colleagues. My former student Harry Barnes is not the only person who voted for Kevin McNamara in that critical by-election in 1966: I was a tactical voter.

Let us look to the future. On one hand I am somewhat pessimistic, because with each passing month devolution becomes less likely in the foreseeable future. Unless the present impasse can be resolved quickly — and this has been my view since Stormont was suspended two and a half years ago — things will run down and momentum will be lost. I hope that is not the case because we all want a return to a devolved settlement.

I agree with Andrew Mackinlay that we should use the MLAs more. We should invite them here, and if they do not come, they do not come. I am sure that some of them would, and that would give them something to do. However, is it more important that they should constitute a pre-legislative scrutiny Assembly so that

they can help us at Westminster with the enormous amount of Northern Ireland legislation that we have a ridiculously short time to deal with. That situation does no service to the people of Northern Ireland. I hope that some way can be contrived for them to give us the advice we need on the opinions of people there.

A credibility problem will arise because MLAs are continuing to be paid, and it is costing half a million pounds a month. The man and woman in the street will become increasingly critical of what will appear to them to be a sinecure, and that is why time is running out. Come this November they will be halfway through their so-called renewed mandate. We will lurch from a situation where nothing can happen until there is another election to a situation where nothing can happen until the marching season is over. There are very few windows of opportunity to do anything positive, what with one thing or another. However, I hope it will be possible. Giving the Assembly work such as pre-legislative scrutiny would be a confidence-building measure.

Robert Walter mentioned the financing of political parties. In the House of Lords, I criticised the continuation of the exemption of Northern Ireland parties from certain financial requirements. In the light of the Northern Bank heist it seems that people could contrive to fiddle the books — as they have done throughout the ages. Ending the exemption would make that much more difficult; it would warn parties that they must abide by an electoral regime that applies to all parties elsewhere in the UK and, to some extent, in the Republic of Ireland. The two Governments should create an agreed regulatory system for the financing of political parties. That is not beyond the wit of humankind, and it would create greater transparency.

*11.45 am*

I agree with Robert Walter that Westminster needs to be more imaginative about how best to handle Northern Ireland legislation. Generally speaking it is secondary legislation, which is totally anti-democratic because it cannot be amended. I have given notice in the House of Lords that I will oppose Orders for the sake of doing so even if I agree with their substance, because it is ridiculous that we cannot do better by the folk of Northern Ireland.

In parallel to attempting to revive devolution, if restoration of the Assembly is not likely in the foreseeable future, we must further strengthen the present de facto condominium between Westminster and Dublin, which is looking after the best interests of the island of Ireland and, in particular, Northern Ireland. That is not a situation for which we would all vote, but it may be the best that will be available. I hope that will not be the case, but we should prepare for the fact that it may be.

**Mr John Ellis TD:** Mr Carey, I congratulate you on your appointment as Co-Chairman of the Body. I extend my best wishes to Bill, Harry, Kevin and John. I do not expect to see them off the political scene for too long if the election is held in May, as I would not be surprised to see them go to the House of Lords — they are the sort of people who could make an enormous contribution. They should send their CVs to 10 Downing Street or to the various party leaders.

We are all forgetting one thing: we were within the proverbial inch of resolving this situation last December. It was only a photo away; many people forget that proof of decommissioning is the issue over which the deal broke down. As I have said on several occasions, decommissioning is a joke; as long as they have the cash they can decommission today and recommission tomorrow. It is a mindset that must be decommissioned, and that is where our big problem arises. People on both sides in Northern Ireland had a mindset that they were lords and masters of everything that moved in their communities — particularly in the commercial sector. That has also been the case with regard to criminality, which we discussed today.

However, we must also remember that these people do not want to give up the power that they wielded in their communities. On both sides of the community such groups were the law and order. The PSNI, as it is now known, has never been accepted on either side — except by a small percentage of people — because over the years these groups have run their own fiefdoms.

I believe that Gerry Adams and Martin McGuinness would have gone ahead in December but the hawks behind the scenes said, “Stop. You have gone too far too quickly.” Anyone with any knowledge of the Northern Ireland situation must accept that analysis.

The people of Northern Ireland are the losers. The devolved government that they could have had is not functioning. People see themselves as being run from Westminster, and sometimes from Dublin. The majority of people find that unacceptable. The various intergovernmental conferences are discussing only peripheral matters, and the North/South bodies are not making any decisions. That has affected border areas in particular, and also organisations such as Waterways Ireland, where decisions have not been taken for the past two years because there is no devolved government. It is sad, but that is the situation.

Many Members have mentioned the McCartney case. However, witnesses are not prepared to make statements and stand by them in court for fear of reprisals. There may be no reprisals, but the fear is still there. People are also fearful about the safety of their families, friends and anyone who may have been involved. That demonstrates how organisations can run and intimidate some sections of communities.

People living in border constituencies can understand why individuals become involved in local situations, not from a political perspective but from an intimidation perspective, and that is sad. In many cases, those people have operated under the guise of being Sinn Féin supporters, which they may not be. At a national level, Sinn Féin leaders have said that they want no hand in such activities. However, in some parts of the country, people claiming to support Sinn Féin have used that tag for intimidation purposes.

The Good Friday Agreement must be implemented. I appeal to Sinn Féin to take the leap. I have no doubt that the consequences will be far more beneficial than simply sitting back and being unable to move forward.

Dr Paisley has always said “no, no, no”, but now he is saying “yes”, subject to the ending of criminality. Neither Unionists, Nationalists nor Republicans want criminality. However, until the criminals are taken out of the equation and money-making rackets and money laundering come to an end, we will not be in a position to move forward. If we do not move forward, the resulting vacuum will leave scars that could be worse than anything we have seen before.

**Mr Chris Ruane MP:** I congratulate Pat Carey on his new position. I offer my best wishes to John Hume, Bill O’Brien, Kevin McNamara and Harry Barnes.

I am a Welsh Labour MP. There are conflicting personalities, policies and ideologies in every party, and Lord knows we have enough of that in the Labour Party. However, we must recognise just how far the peace process has progressed over the past 10 years. We must also recognise the fact that, just as the Nationalist and Unionist communities have supported the democratic process, so has the leadership of Sinn Féin. Sinn Féin fears that it may have to move at the pace of the slowest boats in the Armada. Those hawks — the “slowest boats” — in Sinn Féin and the IRA must have it spelt out to them that the UK Government have been tolerant. Tony Blair has shown great patience and tolerance to Republicans and Unionists. He has invested hundreds of hours in the peace process, and he truly believes in it. He even took time out during the Iraq war to concentrate on the peace process. The US Government have been tolerant: they have not turned off US fund-raising. The Irish Government have been tolerant.

The Taoiseach has not demonised Sinn Féin. Even though Sinn Féin is in a difficult position, he has not put the boot in. He has been a true statesman. He realises that Sinn Féin must be brought to the table to negotiate its way forward.

That said, it is incumbent on the UK, the US and the Government of the Republic of Ireland, but most of all on Sinn Féin leaders who believe in democracy, to explain to the hawks in that party and in the IRA that it is in their best interests to take the democratic road. If

they do not, funding from the US will be cut off, as will funding for MLAs and for MPs. Funding, however, is only one issue; the biggest issue is the continued criminality, beatings, murders and robberies of their own supporters. Sinn Féin supporters might have been prepared to tolerate such behaviour in their own communities when they felt that they were on a war footing. However, things have moved on; there is stability; tourism and industry have grown; there are jobs, peace and prosperity; and there is normality. People want to live normally and are no longer prepared to tolerate the beatings and the murders. It is in Sinn Féin's own best interests to move forward.

What effect would another such murder have? The media spotlight would be directed at Sinn Féin again. Other ghosts will return to haunt the party; other aggrieved families will want to express their grievances. The voices of those who have suffered beatings will resonate with those families. If Sinn Féin's vision is to become a major player in the South and in the North over the next 20 or 30 years, it needs the support of the Republican movement — which Sinn Féin will lose if it carries on with its present behaviour — and it also needs the support of the Unionist community. It will not get that support as long as it carries out beatings, murders and robberies. It is in Sinn Féin's interests to move the hawks along and to listen to the true democrats in the party. If Sinn Féin wants to sit at the top table of the UN or the EU, it must play by the rules of political parties. All of us, Fine Gael, Fianna Fáil, the Tories and Labour, must abide by certain rules that do not include fighting, brawling, bank robbing, money laundering and the gun. Sinn Féin must put all that behind it and make a leap of faith to move on as a truly democratic party.

There will be opportunities later this year, after the general election, when Tony Blair announces his intention not to stand in the election after next. He wants to leave a legacy. Ian Paisley is an ailing old man; he will want to leave a legacy. I hope that after the election, decommissioning and criminality will be put aside and that we will finally have the chance to put the missing piece of the jigsaw in place — the peace on the island of Ireland that has eluded us for more than 900 years.

**Mr Arthur Morgan TD:** A Chomh-Chathaoirligh, ba mhaith liom fosta comhghairdeas mór a dhéanamh leat. I too congratulate the Co-Chairman on his appointment. Co-Chairmen of the Body from the Irish side have a history of being upwardly mobile fairly fast. I want to be measured in my congratulations because we in Opposition have other views of power. I also convey to Kevin McNamara and all the others my best wishes and I wish them good luck for the future. I hope that you enjoy your retirement, if retirement it can be called.

I am also feeling “jilted” by Michael Mates's not turning up, because I thought that I had a date here.

There are, however, plenty of people here to advocate for him, as you can hear from the contributions this morning. These are certainly not all from Britain, so he is not that missed.

Last December, negotiations on many important issues, including power-sharing and policing, were very close to agreement, and people here know that.

12.00

The Governments agreed that the negotiations failed because the DUP would not accept an agreement without photographs of decommissioning. We refer here to the Good Friday Agreement. The Independent Monitoring Commission was set up to deal with paramilitaries, including the IRA. My understanding is that the IRA, during the negotiations in early December, agreed to go beyond the required terms and allow two clergymen to attend and be witnesses. Afterwards, those two clergymen could have given any account they wished to the public. That caused the agreement to fail, which several people have said is bizarre.

Since then there have been attempts to reduce those negotiations to one single issue — the IRA. If people stay on that track, the process will go nowhere. There are remaining issues to be resolved, including policing and demilitarisation. That will not happen during the current megaphone carry-on. With regard to the nonsense about criminality, there is not a border in the world that does not have a significant level of criminal activity; paramilitaries are not needed for that. The people who are spouting about criminality know that as well as I do. Getting rid of the border would go a long way towards reducing those crimes.

Criminality is not a big issue. It is used as an excuse to return to Thatcher's platform of trying to brand the entire Irish freedom struggle as one big criminal conspiracy. With regard to public opinion, it is telling that recently the Minister for Justice, Equality and Law Reform refused to brand as a criminal an 18-year-old IRA volunteer, Kevin Barry, who was hanged by the British in Mountjoy Prison for his part in an ambush on British troops. Michael McDowell is very conscious of public opinion; however, he had no problem in branding Bobby Sands MP a criminal. That puts criminality into context. If crime is the issue — and I accept that it is one of the issues — the answer, to paraphrase an American politician, is: “It's policing, stupid”. That is what we should be dealing with, and people will instantly be asking: “Why is Sinn Féin not involved on the Policing Board?”

Let me go back one step. Under the Good Friday Agreement, the person charged to deal with policing and to prepare a report was a British politician, Chris Patten. He put his report on the table for the two Governments and the party leaders in the North. Along came another British Secretary of State, Mandelson,

who gutted much of Patten's report. People are familiar with the issue of the accountability of the Chief Constable and his officers to the Policing Board, so we will not go into that.

Republicans agree that we need a proper, accountable and impartial policing service for all our people, not just for Loyalists or Republicans but for everybody. Nobody knows or desires that more than those people who live in working-class Republican and Loyalist areas.

How should we deal with the issue of criminality? It can be dealt with only in the context of an overall deal. It is unfortunate that the December deal did not come together. Had there been a deal, we might have been in a position to solve the Northern Bank raid more quickly if people involved in policing and politics had called for information and the resolution of that crime. Well, there you go.

For the benefit of the British politicians here, it is worth saying that Gerry Adams has stated that he will not tolerate any criminality by Sinn Féin members. At the Sinn Féin Ard-Fheis — the annual conference — he asserted strongly that there is no place in the party for criminal activity and that he would not stand for it.

Sinn Féin members are no more angels than anyone else; nor are they a lot worse than anyone else. I do not intend to discuss who is in Southern prisons. Much of the evidence on the Northern Bank robbery is based on what Hugh Orde and the gardaí are saying. We are now in County Donegal; the Morris Tribunal has been established in Dublin to investigate gardaí activity in the county. Some gardaí were producing some kind of explosive and incendiary devices to try to give the impression that their operations were successful. The tribunal in Dublin is inquiring into all this, and it is fascinating. People should get a copy of the interim report that was published in 2004; in the context of our current discussions, it makes interesting reading.

Harry Barnes said that Sinn Féin is the richest political party in Europe. I do not know if that is correct. I wonder whether I am the only politician in the room who does not pocket all of his salary. Almost half my salary goes towards the development of a constituency service for the people of County Louth, my constituency. Members have spoken about the opening of constituency offices; if politicians did not pocket their entire salaries, they could provide a good constituency service. I do not need to rob banks to provide that service.

John Hume reflected on Peter Brooke's "no selfish strategic interest" speech, made some years ago. I remember that time particularly well, as will any student of Irish history or politics. Republicans and Nationalists responded magnanimously to that Peter Brooke statement when, as part of the Good Friday Agreement, they accepted majority rule in the North. In particular, it was accepted by Republicans, who, up to that time, had contested the issue

of majority rule and the division of Ireland. It had to be the opinion of the whole people. John Hume made the point that the Good Friday Agreement was the voice of the Irish people, and we all totally accept that. Through the implementation of the Good Friday Agreement, we must build on that progress. Sinn Féin is up for that, ready to play its part and do what it can.

Andrew Mackinlay said that MLAs should be invited to attend plenary sessions of the Body. I absolutely agree with that section of the motion. There are Unionist voices here, but they are not Northern Unionist voices. I think that they should be here, and I would value their contribution to debates. The Body meets twice a year, and we always end up discussing the same topics; we go over the same ground every time. If Northern Unionists were here, they might agree that the Body could be developed into a more progressive organisation that could deal with other issues.

People want the peace process to continue; they want the Good Friday Agreement to be implemented. So do I, and so does my party. I hope that we can get on with that. We all know that nothing will happen before the British general election. In the meantime, I expect that this nonsense about criminality will continue. The resolution of criminality involves the policing issue, which will come about only in the context of a proper deal. Sin é, a Chomh-Chathaoirigh.

**Mr Kevin McNamara MP:** May I, first of all, thank all my Colleagues for the kind words they expressed about myself and John and Harry and Bill. For all of us, being Members of this Body has been an enriching experience. I must also join in the public confessions made by Lord Smith and Harry Barnes and say that in the Hull North by-election I too voted for Kevin McNamara. *[Laughter.]* I am not too sure about my wife; she says her vote is secret. Anyway, she thinks I have sold out to the right.

This is a very different situation; it is not as Arthur Morgan painted it. It has changed radically, and it has changed because of the terrible murder and the "great" Northern Bank robbery. I do not believe that the Taoiseach or the Prime Minister would put at risk 10 years of very hard work — often against the tide, often when, politically, they could have been looking at other things more to their advantage — or that they would sacrifice all that by saying specifically and directly that that was the responsibility of the IRA unless they were very, very sure of the situation. Given the time and effort they have put in, more than any other Taoiseach or Prime Minister in the history of either state, they would not have thrown away all that has been done. They knew that all the low-intensity criminality that had been going on with the paramilitaries from

both sides during that time, to which, for the greater good, they had been prepared to turn a blind eye, would come back to haunt them. That indeed is what has happened.

The situation has changed tremendously, and sadly it has reinforced the position of those people who did not want the Good Friday Agreement to succeed. I do not believe — and I do not think any rational person can believe — that either the Taoiseach or the Prime Minister would have taken the steps and made so public the pronouncements that they did if they were not profoundly affected both by the enormity of the crime but also by the whole question of trust that they had with the IRA leadership. They are both to be commended because they have not, despite that grave disappointment, turned their faces against maintaining contact with Provisional Sinn Féin. That is the first point I want to make. It has been said that they were looking for an excuse; I do not believe that.

My second point is that I find the attitude of the IRA leadership or, let me put it this way, the attitude of Provisional Sinn Féin's leadership over this ghastly murder somewhat strange. There was the expulsion of members — who they are we do not know. Then there was the suspension of members — who they are we do not know. Then they are told to make their confession to a priest or, in this more secular age, to go to a solicitor. The leader of Sinn Féin expressed the wish to see the people guilty of that horrible murder in court.

Yet, the key to all that lies within the power of the Sinn Féin leadership to see that that happens, and I hope that it does. However, Sinn Féin has taken another great leap through its statements by saying that it wants to see them in court. Who, then, will prepare the case? The Crown Prosecution Service, presumably on the benefit of evidence produced by the Police Service of Northern Ireland. Is Gerry Adams not, in fact, recognising the role of the Northern Ireland police service? And is it not time, if Sinn Féin is sincere about the issue of criminality, to take its places on the policing board? I believe that it is very much the case.

12.15 pm

To give a list of names to Nuala O'Loan, the Police Ombudsman, who will immediately pass them on to the police, is a real recognition of the role of the police in this issue. However, that role is hampered by the *omertà*, which is where the leaders of Provisional Sinn Féin have an important role to play — to make sure that evidence is produced.

I accept that there is an ambiguity in Sinn Féin's attitude to various types of what the rest of us call criminal activity. I have argued here in the past and not always been in full agreement with my party — and certainly not with Michael Mates — about how the IRA regards itself as an army that has not been defeated.

However, there comes a point in a long and protracted ceasefire when it must say that there is an end to this petty crime, which sullies much of what is, in the IRA's terms, and, indeed, in other terms, a heroic tradition in Irish politics of resistance to British Government rule.

For that resistance to descend into petty thuggery, murder and racketeering not only besmirches the name of those people who died in the hunger strikes but puts back the cause tremendously. As Andrew Mackinlay said, it hurts the position of ecumenical Unionists; that is to say, those Unionists who are willing to be persuaded, despite their fears and what has happened, to continue supporting the Good Friday Agreement and also to accept that most important gain — the recognition that Britain will withdraw the moment a majority in Northern Ireland is in favour of a united Ireland.

The position of ecumenical Unionists is very difficult. I had a cousin who was an ecumenical football player; he played for both Liverpool and Everton. When he left Everton, it was said that he sent his children to the Judas Iscariot primary school. That created problems for him, because (a) he was not married at the time and (b) it shows, and I understand this, the sort of pressures that ecumenical Unionists are up against and the problems with which they are faced. They are forced to go towards the extreme; and we — and Sinn Féin in particular — have a real duty to ensure that that movement towards extremism stops.

Gerry Adams and Martin McGuinness make splendid speeches about wanting to talk with Unionists and say that Unionists have nothing to fear from Sinn Féin or from a united Ireland, but Unionists are not convinced because of various events that have taken place.

I do not think that John Hume has read the motion — and I mean that with the greatest respect. The motion states that the Body:

“re-emphasises that all parties to the agreement undertook ...”

I accept that the motion should have ended there, but it did not. So we are re-emphasising it, and I think that, in retrospect, John might look at it in that way.

John Hume also made the point that if the parties cannot agree, ultimately the two Governments will have to come to a decision. I once put that in a private paper to Neil Kinnock, which somehow got leaked, and that enabled John Major to attack me vigorously. I attacked him back by saying that it was just another alternative that had been put forward by Willie Whitelaw when he was the first Secretary of State for Northern Ireland. Nevertheless, if the parties cannot reach agreement, for whatever reason, there is a responsibility on both Governments to set in train institutions and organisations that will work for the benefit of all the people of these islands — not just the people of Ireland.

Chairman, I congratulate you on your appointment, and I hope that it will soon mean even greater promotion for you, as Arthur Morgan pointed out. The great thing about this Body is that for British politicians it seems to be a resting place for those whose aspirations were never realised; and for people from the Republic it has been a stepping stone to even greater things.

**The Co-Chairman (Mr Pat Carey TD):** Thank you, Kevin. Two Members wish to speak before I call Lord Brooke to conclude, so I call on Jim Glennon TD and on Senator Paul Coghlan. Please be as concise in your remarks as previous Members have been.

**Mr Jim Glennon TD:** Thank you, Co-Chairman. First, I join my Colleagues in offering best wishes to you as you take up your new position and in acknowledging the anticipated departure from the Body of our four Colleagues. It has been a pleasure to serve with them. I will be as brief as possible, Chairman.

I do not intend to sit in judgement and apportion blame to individuals for the logjam in the peace process. However, we cannot ignore the events of the past ten weeks and continue with what has been commonly referred to as “constructive ambiguity”. No longer is there a place for rhetoric and fudge: the onus is on the Provisional Republican movement to adhere in law and in spirit — particularly in spirit — to the Good Friday Agreement. There should be no more mealy-mouthed statements about the failure of a police force to represent the broader Nationalist community. Responsibility is now the name of the game.

I have listened with varying degrees of incredulity over the past weeks to references to democratic mandates: “390,000 votes cannot be ignored”. In my book, mandates carry responsibility; they do not excuse criminal activity. It would be the easiest thing in the world for Bertie Ahern and Tony Blair to turn their backs on Northern Ireland and to concentrate on domestic policy. Bertie Ahern has said that he is still prepared to deal with Sinn Féin in the interest of the peace process. If the two Governments move away from the inclusive process, they would be moving away from what the people voted for in the Good Friday Agreement. As the Taoiseach said last week, that is not something we can do.

Similarly, Prime Minister Blair and Secretary of State Murphy have made it clear that despite the present setbacks they are committed to an inclusive process, and they are all to be applauded for their position in this difficult time. Recently, the Minister for Foreign Affairs, Dermot Ahern, said that the bar has now been set higher on the onus on Sinn Féin to prove its commitment to the process.

In early December, a holistic deal was, according to some commentators, within hours of being signed — and listening to Arthur Morgan earlier that appears to

have been the case. However, it was not just about the lack of a photograph. The inability of the IRA to agree a form of words that would once and for all renounce all elements of criminal activity stymied that agreement.

Had a deal been done, it is more than likely that Sinn Féin MLAs would now be sitting in a newly constituted Assembly at Stormont, and at least two Sinn Féin MLAs would be holding key portfolios at the Executive table.

Punishment beatings and criminal activity had declined in the run-up to December. As the Taoiseach famously said, the tap was turned off when it suited Sinn Féin. However, those heinous acts still lurked in the shadows. Virtually all paramilitary organisations continued to recruit members. The largest bank robbery in the history of these islands was being planned for months before the December talks. The self-imposed brakes that were applied by Sinn Féin in December, with no little help from the DUP, have provided space for many unsavoury acts to come to light. I quote David Adams from last Saturday’s ‘The Irish Times’:

“Before the Northern Bank raid, facing up to harsh realities had been out of vogue.”

I believe that harsh realities are now being faced up to. Expectations have grown, and paramilitaries of all hues must now realise that they cannot behave as they please, without fear of sanction. The iron grip that paramilitaries have on communities across the North must be broken. What use is a peace process to the people of Northern Ireland if constant fear of the other is replaced by constant fear of their own? Paramilitary groups must fall in line with democratic norms before they can be trusted to carry the weight of civic and political power.

I took the time to listen to Gerry Adams’s Ard-Fheis speech live on Saturday night when he spoke of repopularising Irish Republicanism. I am an Irish Republican, and I am proud of it. However, I am a member of a political party that prides itself on a real Republican tradition. Our interpretation of a Republican ideal contrasts starkly with that of Mr Adams. Our commitment is to the ideal of a united Ireland grounded in the framework of the Good Friday Agreement and based on the principle of consent. There is no place in our notion of constitutional Republicanism for any act of criminality. If I may refer to Arthur’s earlier words, apparently all criminality begins and ends with the border. There is no border in Magennis’s bar; there is no border in the Short Strand. Prostitution, robbery, murder and protection rackets do not require a border.

In his Ard-Fheis speech, Gerry Adams went on to equate statements by the Minister for Justice with the language of Margaret Thatcher during the hunger strikes of the early 1980s. He asserted that the Minister’s rhetoric was an attempt to criminalise Sinn



Féin and Republicans. Sinn Féin has done a pretty good job of criminalising itself, without apportioning blame elsewhere.

On a positive note, Mr Adams said:

“There is no place in republicanism for anyone involved in criminality.”

If that is the case, let actions speak louder than words.

Truth and justice are words that spring easily to the lips of Sinn Féin spokespersons. The challenge now is whether the Provisional movement can accept the McCartney family’s demand to give them the truth and justice that they seek — on the family’s own terms. There has been much talk about encouraging people to come forward. Provisional leaders and spokesmen have said that people with information should offer it to whomever they feel comfortable with. I add my voice to all those who have commended the stand taken by the family. It has taken real courage to confront those responsible and their associates. The sickening details of the murder can leave no one in doubt about what the perpetrators are capable of and the menace that they represent to their own community.

I should like to finish on a note of optimism. Over the weekend, I read the remarks made by the Catholic Primate of All Ireland, Archbishop of Armagh Dr Seán Brady — a quiet man. Speaking in Dublin last week, he again, as he so often does, brought clarity and meaning to deeply disturbing events. He suggested that the present malaise afflicting the peace process may represent the dark before the dawn. We should all pray that he is right, and we should commit ourselves, and influence others, to endeavour to overcome the roadblocks to lasting peace. The prize is still a great one. Go raibh maith agat.

12.30 pm

**Senator Paul Coghlan:** In common with everyone else, Co-Chairman, but particularly as a fellow Kerry man, I heartily congratulate you on your appointment as Co-Chairman of the Body. Equally, in common with everyone else, I wish Bill O’Brien, Harry Barnes, John Hume and Kevin McNamara all the very best. I identify with what Paschal Mooney said earlier because as a very young man, Kevin McNamara was the first person to welcome me to Westminster, and I thank him for all his kindnesses over the years.

This is a time for all of us to keep our heads. It is a time to see the glass as half full rather than half empty because we realise that, despite all the difficulties, there has been great progress. Perhaps the greatest difficulty in the immediate future is that matters are on hold. Many Members are in election mode, and the British elections will be followed by the marching season.

That said, accepting policing is the key. No party can be in government and not accept the PSNI. That

does not tally. The acceptance of policing will end criminality, and I agree with Jim O’Keeffe that decommissioning is largely symbolic. I welcome Gerry Kelly’s remarks at the Sinn Féin Ard-Fheis on policing, and I welcome what Arthur Morgan said here this morning. A deal is achievable; people want to go forward.

I praise what the Criminal Assets Bureau and the Assets Recovery Agency have done in cracking down on smugglers and on money laundering. People on both sides of the divide have been involved in racketeering.

With regard to the last sentence of the motion, I agree with Andrew Mackinlay. I had an interesting chat with him about it. He is entirely right. There is no reason for Unionists not to be involved. As was said earlier, Ian Paisley was remarkably conciliatory in his recent interview with Tommie Gorman. He is clearly willing to share power with Sinn Féin and to be First Minister in government. We welcome that.

I welcome what Gerry Adams said about the appalling, brutal and savage murder of Robert McCartney and about wanting to bring people before the courts and see them convicted, and to carry out his commitment to expel members of his party if they were involved in it. He must be prepared — perhaps he is — to give P O’Neill his P45. I thought that that was about to happen when we met in Chepstow, and we know about the mishaps that have occurred since; but it is only when that happens that all aspects of the Good Friday Agreement will finally be in place.

**The Co-Chairman (Mr Pat Carey TD):** Lord Glentoran wishes to clarify something that he said earlier.

**The Lord Glentoran:** It was pointed out to me that my references to Republicanism should have been to militant Republicanism. I should just like to correct that.

**The Lord Brooke:** I am already 18 minutes into the injury time in which I am supposed to have ended this debate. However, even in injury time, I want to congratulate you, Mr Chairman, on assuming the Chair and on having brought us to Donegal, as Cecilia Keaveney has so loyally urged us to do in the past.

My great-grandfather, Stopford Brooke, was born in a Church of Ireland rectory near Letterkenny in 1832. My family will celebrate the 175<sup>th</sup> anniversary of his birth in 2007, so I am happy to be back here now. No place that the Body has visited in my time has had better views from the conference chamber windows than this one. However, it has two other unique features; first, geologists on the Body have discussed the mountain that I can see through the window, and they have been absolutely clear that it is a volcano, or certainly volcanic. Secondly, this is the first conference chamber I can remember where we have had flowers the whole way round the room, and very beautiful flowers as well.

Those are not too bad contrasting symbols of the risks of force and the rewards of peace, which are the themes that have underlain the debate.

Two and a quarter centuries ago in the House of Commons, Burke, a great Irishman, and Fox, who was for 25 years one of my predecessors as MP for Westminster, were allies on the American War of Independence and the East India Company, but opponents on the French Revolution. However, they were united in the opinion of the House, which said that Burke was the ideal man to open a debate and Fox the ideal man to wind it up. Today, Seymour Crawford played perfectly the role of Burke, in the clarity, order and comprehensiveness with which he set out the agenda that we debated. His image of canals as things that bring us together was a peculiarly happy one, and I was moved by the lilt of the Book of Ecclesiastes immediately after he mentioned Dr Paisley.

Although, like Fox, I was MP for Westminster for 25 years, I cannot hope to emulate him. I cannot even hope to emulate Michael Mates. The debate, to which everyone has contributed, has been outstanding, but in 10 minutes — especially so far into injury time — it is impossible to mention every speech, so I hope that I shall be forgiven if I pick out only the salient remarks that provided the building blocks of the debate.

First, Paschal Mooney reminded us that it is seven years since the Good Friday Agreement was signed. That is longer than any Secretary of State ever held office. Secondly, Cecilia Keaveney remarked on the link between 1989 and 2005. In 1989, those of us who were looking at the world geopolitically realised that problem after problem was being solved. I think of South Africa and of the moment of the promise in Israel — but problem solving was going on around the world.

However, the concern was that when everything else was resolved, there might still be trouble in Northern Ireland. In 1998 — nine years later — we all rejoiced at what the Good Friday Agreement achieved. We rejoiced and looked forward optimistically. It is inevitable that in 2005 we know a little better, but the moral of that series of dates is that time matters and that we must never be too impatient.

Thirdly, the long-standing Irish resident, Claud Cockburn once said that there was nothing better in life than to have things turn out the way that you expect them to. He said that if he were ever in a snowdrift, the mere sight of a St Bernard would immediately restore his morale, even if it turned out that there was no brandy in the cask around its neck.

In the same spirit, Andrew Mackinlay cheered me up by fulfilling his familiar role as a bull in a china shop. He is a strong believer in the principle of full speed ahead and damn the torpedoes. However, there are two sides to a naval action, and the commander of

the fleet at whom the torpedoes are aimed must also take account of the fact that — and I am grateful to Chris Ruane for the phrase — the speed of the fleet is that of the slowest ship. Since 1989, one of the greatest gains has been this Body and its growing strength. The commander of our fleet must ensure that our Body's health and strength is preserved, but that can sometimes be endangered by impatience.

Fourthly, because Sinn Féin has played a central role in the debate — for reasons that we all understand — Jim O'Keeffe's implied reference to Versailles and its implications and consequences was apt. We all realise that when a force has been commanded in the field, the fact that that force cannot be said to have surrendered or lost a war is important to those who are engaged in it. Martin Mansergh did not cap the phrase that Jim O'Keeffe used, but in his final sentence he made the point that although Sinn Féin/IRA have not lost a war, they must take pains and much care to ensure that they do not lose the peace.

A series of Members have consistently and vividly reminded us of the lessons of our mutual history, and I therefore particularly commend Séamus Kirk's speech.

Arthur Morgan entered the debate very sensibly at a late stage, as he does. In 1995 I took part in a 'Panorama' programme about Gerry Adams, which was more favourable to Gerry Adams than a similar 'Panorama' programme that was broadcast in 1983. John Ware, the same journalist, conducted the interviews on both occasions. The second programme was, of course, a year after the 1994 ceasefire. I received a substantial amount of hate mail in Great Britain for saying that I admired Gerry Adams's courage in having led the Republicans into the ceasefire. Like others, I am amazed by the McCartney family's courage, but I also admire Arthur Morgan for his courage. I admire him for coming to this Body again and again, whatever the prevailing circumstances in our political world, to defend his party's position calmly, sensibly and rationally. The whole Body should be grateful to him for that.

Some Members came here via Sligo last evening, and we passed Yeats's grave. When I got here, Mike Burns very kindly made available to me a copy of Yeats's Senate speeches, which I am looking forward to reading. My affectionate recollection of Yeats is that when he was the treasurer of the Abbey Theatre in Dublin he always signed the cheques, "Yours sincerely, W.B. Yeats". Whether he had signed them "Yours sincerely" or "Yours faithfully" or "Yours truly", all those are the phrases of democracy.

I am concerned — and I return to the point that Jim O'Keeffe and Martin Mansergh made — about the hazard of the Armalite still being present even on the periphery and even sometimes necessarily perhaps in fund-raising in the way that it can actually contaminate

the political debate. I have confidence that Sinn Féin will learn from recent events, just as it did when even the leading articles in the ‘Boston Herald’ came out against it several years ago on decommissioning. I shall not dwell any further on those matters. They have been ventilated enormously in the debate, which has been very good.

As to those departing Members, John Ellis made a reference to the House of Lords that no one had previously made. I hope that all four of our departing Members of Parliament will be invited to join the House of Lords. I am less confident that all of them will accept. Nevertheless, I hope that we will see them in the House of Lords and that, therefore, we will see them back here as well.

For many years, Bill O’Brien has been Member of Parliament for a constituency close to that of my great-grandfather’s brother-in-law, who was MP for Wakefield. My great-grandfather’s brother-in-law entered the House of Commons as a Liberal, and decided as soon as he got there that he preferred Disraeli to Mr Gladstone. He did not actually cross the Floor because he was an honourable man, but he felt that he could not stand again in the Liberal interest if he actually preferred the Leader of the Opposition. If I may say so, Bill has conducted himself in that spirit most honourably in the House of Commons.

Kevin McNamara, who was mentioned earlier, was my opposite number as Shadow Secretary of State. He played that role totally fairly, and, if I may say so, his speech today was very characteristic of the way in which he has conducted himself throughout his years in the Body. He may not realize it, but he provides me with an echo of my reference to Charles James Fox. In the film about Pitt the Younger, the actor playing Charles James Fox — who I think was Robert Morley — goes into a field where the returning officer is sitting behind a card table and says very firmly:

“Charles James Fox.

Voting for Charles James Fox”.

12.45 pm

My views and those of Harry Barnes have coincided so often that I shall miss him profoundly, not least because when he speaks before me, I automatically know what I am supposed to say.

I thank John Hume for his kind words about me and for his critical observations about the wording of the motion in the context of the Good Friday Agreement. We are not often as painstaking in our examinations of the wording of motions as John was today.

John Hume was a cricketer in his schooldays. I am not expecting those who are less familiar than I with cricket to understand what I am about to say, but he was, most appropriately for his subsequent career, a

slow left-arm bowler: a bowler who goes on and on and on all day and whose virtues are stamina, accuracy and occasional guile.

My great-grandfather was chaplain to the British Ambassador in Berlin. In that context, dear Vicky, Queen Victoria’s eldest daughter, who was married to the Crown Prince, used to come and sit at his feet. When my great-grandfather was due to return to London, Vicky approached him on behalf of the Crown Prince and said that they were both very concerned about their son Wilhelm, who in due course became the Kaiser. They wondered whether my great-grandfather would stay on and act as his tutor because they felt that their son needed a strong dose of British liberalism. My great-grandfather said that he was extremely sorry, but nothing would persuade him to remain in Berlin. Then, because the Almighty has a keen sense of irony, he was kept alive until 1916 and so had to wonder whether the entire course of European history would have been different had the Kaiser been his pupil. None of the four Members who are leaving us could conceivably blame themselves if anything that they have done incurs the same risk as that of my great-grandfather.

However, today’s debate has shown the strength of this Body, not least because however bland the motion we are asked to debate — and today’s has not been all that bland, but so often it is — the Body tells it as it is, and that is a very great strength.

[Applause.]

**Co-Chairman (Pat Carey TD):** Thank you, Lord Brooke, for making excellent use of your injury time. I compliment every Member who participated in this excellent debate.

*Question put and agreed to.*

*Resolved:*

That this Body reaffirms its support for the full implementation of the Good Friday Agreement and for the ongoing efforts of the two Governments to protect and develop its achievements; regrets that in spite of substantial progress it was not possible to reach agreement last December on the two key issues of decommissioning and ending all forms of paramilitary and criminal activity; abhors the brutal murder of Robert McCartney; is greatly disappointed by the damage caused to the peace process by recent attacks and ongoing criminality, including the Northern Bank raid; re-emphasises that all parties to the Agreement undertook to pursue their political objectives by exclusively peaceful and democratic means; recognises that sustainable, inclusive government in Northern Ireland requires a complete cessation of paramilitarism, including all forms of criminal activity; and, in the belief that the informal dialogue can play an important part in promoting these objectives, looks forward to the possibility of inviting representatives of the parties elected to the Northern Ireland Assembly as guests to future meetings of the Body.

## **REPORT OF COMMITTEE B (EUROPEAN AFFAIRS): EUROPEAN FUNDING PROGRAMMES AND DEVELOPING UNDERSTANDING ACROSS BORDERS**

**Mr Mike German AM:** I beg to move

That the Body takes note of the Report of Committee B on cross-border European Funding Programmes [Doc. No. 102] and the conclusions and recommendations of the Report should be forwarded to both Governments and the devolved administrations for their observations.

**The Co-Chairman (Mr Pat Carey TD):** We are due to finish at 1.00 pm. However, this is an important report, and with your permission, we shall indulge in injury time again.

**Mr Mike German AM:** If we are in injury time, perhaps I could appeal for a ticket to the Wales-Ireland game? If anyone can help me in this matter, I would be pleased to see him or her afterwards. I was sitting beside the right man, Jim Glennon, but he has just left — that tells me something about my chances of getting a ticket.

This report was drafted rapidly by a subcommittee of Committee B: European Affairs. We seek to influence discussions on financial perspectives that are taking place in the European Union. Those discussions have begun under the current Luxembourg presidency, will undoubtedly continue under the British presidency, and may even stretch into the Austrian presidency next year.

There are important key issues that affect the relationships between Britain and Ireland and the devolved Administrations. Any delay in concluding those matters will hinder national preparations for the new European programmes, which are to commence on 1 January 2006. Furthermore, it will create difficulties for those project promoters who are currently working in Britain and Ireland, and who have to span the gap between the old and new programmes. Much good work has been carried out across our countries, and it is important that we do not allow that gap to develop, nor cause those people to seek other employment. I shall return to that danger later.

The report does not merely consider the structural funds, which are an important part of the financial perspectives; it also covers education, training, culture and rural affairs, and examines those matters in cross-border and transnational contexts.

We looked at four major strands of cross-border and transnational work. The report uses the word “turnkey” in its recommendations, and that word is important because European funding has made a difference to many activities on the ground across both countries and our member states. Those activities have been helped along, and triggered, by European funding.

The report examines INTERREG, which covers tourism, transport and economic and social development. It also takes into account the LEADER + programme, which covers the non-agricultural sectors of rural development, and looks at where that will go in future. The cultural programmes, CULTURE 2000 and CULTURE 2007 are considered, as well as the SOCRATES and LEONARDO DA VINCI programmes, which deal with education and training.

The European Commission proposes that for the new period, 2006-13, a new INTERREG programme will provide a more central role in adding to the two pillars of the Lisbon Agenda — convergence and competition. European territorial cooperation in both of those pillars will largely be provided by INTERREG. The Commission proposes that in the new programme the budget for that should be increased from 5 billion euro to 13 billion euro — lifted, of course, for inflation. Half will be for cross-border work and the other half for transnational work. As the structural funds in Europe — in particular, for Britain and Ireland — play a smaller part as we become relatively richer in the new European Union, the role of INTERREG will increase and become more important. INTERREG is an important venture and should have more importance across both countries and member states.

One strand of the new programme proposed by the Commission allows scope for more cross-border maritime links. The new boundary of 150 km brings parts of Scotland into relationship with Ireland. Liverpool is making a strong bid in the new INTERREG programme, as are parts of north-west England. The south-west of England, including Devon and Cornwall, is also interested, as are large parts of Wales. The priorities in this area — innovation, environment, risk prevention, accessibility and transport — are ones that we all share.

However, using the INTERREG programme as a tool, there is an opportunity in the programme and in other strands to have a specific British-Irish transnational co-operation zone. Paragraph 15 of the report makes that clear, and I recommend that the Body considers that in detail.

It is important that there should be more opportunity and flexibility in the programme. Our visit to the Øresund region, which seeks co-operation between Denmark and Sweden and which used INTERREG as an important turnkey, produced guidelines for how the Commission might simplify the programme and allow it to develop more bottom-up approaches.

We examined the approaches in the LEADER and LEADER + programmes. LEADER + stands outside any other programme; however, it will be mainstreamed into the new European rural development fund to sit alongside, and share spend with, the CAP. The Commission proposes a huge increase in the budget in the LEADER

programmes. Although it is not technically a cross-border transnational programme, it encourages cross-border and transnational activity.

The Body may be interested in the primary new strand, which focuses the funding programme on improving the quality of life in rural areas. It produces, alongside INTERREG, an opportunity for some of the economic and social development that we wanted.

The CULTURE programme will change if the Commission's proposals are accepted in this new regime. There will be fewer projects but with better funding, so, in effect, they will be larger projects. "Preparation" is the watchword for larger projects. Britain and Ireland are under-represented in the CULTURE programme. Lack of preparation for larger programmes, because of inadequate working in the programme, leads to a danger that the opportunity resulting from a potential new programme offer may not be maximised.

Education and training is a key area in the Bodies represented here, and a great deal of activity can take, and has taken, place in that sector. In the SOCRATES schools programme, it is significant that the number of participants from Northern Ireland schools, compared to the number of participants from London schools, is tenfold. That says something about how we have promoted the relationship between schools, but it is wider than that. Higher education programmes match the schools programme where students are encouraged to undertake joint actions and to engage in more cross-border and transnational activity. From 2006-13, the Commission proposes to triple the education and training programmes; that is the importance that it places upon this territorial co-operation. As Britain does not take full advantage of the programme, as the figures suggest, Governments must take action to ensure that they are more prepared for the developments that could take place.

Committee B produced a report in April 2002, which was not discussed in plenary session, that made a recommendation on effective transport links. Those recommendations are commended to you in this report.

Finally, the Body has drawn experience from the Nordic Council. We noted the role of Paul Schlüter, who acts as an intermediary and envoy, trying to remove barriers in the various parts of the Nordic Council. We commend that the British-Irish Council could play that role in this Body.

*1.00 pm*

There are dangers lurking in the wings if this work is not progressed rapidly by the member states, by Governments and by the Council of Ministers. The first is that we will scramble for the European structural funds on their own, without considering the alternatives and the other programmes available, particularly in INTERREG and in the schools, education and training

programmes. It would be a great shame if member states neglected them in the search for the programmes that will replace Objectives 1, 2 and 3.

There is a second danger. Many skills have been developed in our two countries by people who now know how to handle European funding to their advantage. We rely on project promoters to deliver those programmes. It would be a shame if project promoters had to seek alternative employment if there were a gap between the end of the existing programmes on 1 December and the start of the new programme regime on 1 January 2006. The development of existing projects and of projects that are already under way would be fractured.

I commend to the Body the recommendations on pages 3 and 4 of the report. I thank the subcommittee of Committee B on European Affairs for the work that it completed in a very short time. I thank Peter Kellam, who acted as clerk to the subcommittee. I also commend to the Body the new method of working: having a subcommittee to consider reports alongside Committees. That helps to increase the flow of activity in the Body, particularly for those of us from devolved Administrations who feel that we have something to contribute.

I wish to leave two final thoughts with the Body. First, many of our recommendations require action by the British-Irish Council or by its component parts. I would like to think that the Body would like to scrutinise the British-Irish Council's responses to the recommendations. Secondly, and slightly obliquely, we have introduced to the Body a new method of working: video-conferencing. Members in Committee have been able to get together through video-conferencing, frustrated slightly by the lack of sufficient machinery in the House of Commons to allow four-way video-conferencing at the moment. Perhaps there is something that the devolved Administrations can show Big Brother in London. Thank you, Chairman.

**Mr William O'Brien MP:** I congratulate Committee B on its splendid, comprehensive report. However, before I speak about culture I wish to express my thanks to those who reminded us that for some of us this will be our last meeting. I enjoy coming to these meetings. However, when I was thinking about this one I did so with some trepidation because we will miss the Body and the relationships that have developed in it. It is hard to think of this as our last meeting without getting a lump in the throat.

I thank everyone for their kind remarks, particularly Peter Brooke, whose comments always impress me. His grandfather, father, brothers and cousins have been all around the country; he seems to have connections everywhere, including Yorkshire next to my constituency. It is very pleasing to listen to Peter, as he always has a kind word for people. I thank him for his kindness. I thank you, Co-Chairman. When we met you in Dublin on 1 February we learned that you were to be the

Co-Chairman, and it is nice to see you in that role today.

I wish to refer to the chapter on CULTURE on page 13, paragraphs 46 to 51. I agree with the Committee on that section because culture plays an important part in our communities and in passing on the activities, projects, developments and successes of our ancestors.

Therefore representation on the CULTURE 2000 programming bodies is important. We should ensure that we have proper representation, as we have been advised that we are under-represented. We should also ensure that our culture is recorded in history. In the United Kingdom, a television advertisement for Churchill has a bulldog sitting in a car's rear window answering questions. When Churchill's name was mentioned in a programme that was attempting to find the best politician of the twentieth century, some younger students thought that he was an insurance agent, because they identified the name "Churchill" with the insurance company.

My background is in the mining industry, which can no longer make any real contribution to culture and folklore. However, our mining museums must be preserved, and the industry's history and culture must be passed on. Therefore we want proper representation on programmes to fund the future of cultural sectors. My ancestors came to England from Ireland, and their first job was with the mining industry in south Yorkshire. There is a link between Britain and Ireland there. In my constituency, Irish workers were employed at St John's colliery.

The question remains of how we should register and preserve culture. The three general objectives included in the CULTURE 2007 programme are: mobility of cultural sector workers; the transnational circulation of works of art; and intercultural dialogue. I hope that the Committee will revisit those objectives and not default on the question of funding and the development of culture. I congratulate the Committee on its splendid report.

**Ms Cecilia Keaveney TD:** I commend the Committee on its report. I, too, as Chairperson of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs 2002-07 focus immediately on the great emphasis that must be placed on culture. Sometimes we pass culture off as unimportant, as some special, added extra, yet music is central to a child's development. We pull out children to perform for visitors when we should be getting babies interested in music programmes. Music is central to a person's development, not an added extra. I hope therefore that culture and education programmes are progressed. As well as the already-developed links with the Six Counties, there is a strong acknowledgement of the link between Donegal and Scotland. People are aware of that link, and in the past few months people have asked me how that link with Scotland could be developed. I mentioned

the BIIPB conference, and I was almost knocked down by the number of people who wanted to meet on the fringes with Members. I made the correct decision — or the mistake — to advise them of Denis Canavan. Denis has declared that we are all mad, so they are quite happy to hear about it.

I fight parochial battles concerning regional air services all the time, but every time I raise the issue of the City of Derry airport, I am told that no decision has been taken to extend the runway. I assume that funding is available. We want to see solutions and conclusions. We have already lost a regional air service from Stansted to Derry, because it is maintained that the planes are unable to land in Derry.

Margaret Ewing and I have raised the issue of the decline of the fishing industry many times. We have highlighted the need for investigation and examination of the environmental impact so that progress can be made for the fishing community and the environment. There is huge potential for developing together the transnational co-operation zones and the northern periphery programme. Recommendations 18 and 19 are very important.

I would love to think that the Body could act as a conduit for people who want to make links with Scottish groups, or the relevant political representatives, to ensure that ideas can become realities. I commend the report.

**Senator Paschal Mooney:** I compliment Mike German on his initiative in putting the report before Committee B and for the efficient manner in which he carried out the subcommittee's mandate in such a short time. He has done an excellent job. I also compliment the subcommittee's joint Clerks, Mike Clark and Dave Keating, who helped to prepare the text of the report. I am sure that I speak on behalf of all members of the subcommittee when I say that I am grateful for the contributions of Bill O'Brien and Cecilia Keaveney.

The INTERREG initiative is not widely known beyond its participants. Irish politicians, particularly those of us who represent border counties, certainly know about it because it has been of tremendous benefit. The wider public do not know a great deal about it. The Body could play an important role in pushing out the envelope on the issue, because INTERREG represents the Body's very ethos — North/South and east-west relations. The money is not inconsiderable; the budget is being increased under INTERREG III, which will operate from 2006 to 2013.

It is significant that Bill O'Brien and Cecilia Keaveney referred to INTERREG's cultural dimension, which could help to advance the development of closer North/South and east-west relations.

The report's recommendations refer to a cross-border grouping called Irish Central Border Area Network

(ICBAN). With due deference and respect to Cecilia and the north-west, and to our late colleague and friend, Senator Paddy McGowan, the north-west was probably the first major cross-border initiative, where politicians of all hues and colours came together. Paddy often spoke with glowing pride about DUP councillors crossing into the “hated” Republic. That was in the mid-1970s, at a time when tensions were running particularly high. That level of co-operation between locally elected representatives across the border is not something new. We should pay due respect to the initiatives taken by Paddy and his colleagues, because they started something. There was a similar cross-border initiative in the north-east, which also represented local councillors, and Arthur Morgan, Séamus Kirk and others will be familiar with that project.

I was very proud to have been chairman of Leitrim County Council in the mid-1990s, when the opening of border roads linking County Leitrim and County Fermanagh allowed direct access into Northern Ireland, for the first time in 25 years, for those of us who travelled from the South to the North. Before that, we had to travel either via Pettigo in County Donegal or through County Cavan, all for a matter of two or three miles. We looked across at one another for 25 years and had very little social, economic or political contact. In 1995, a window of opportunity opened up after the first IRA ceasefire. Relations had thawed sufficiently and, as is said about all political initiatives, the timing was of the essence.

*1.15 pm*

The then chief executive of Fermanagh District Council was Gerry Burns, who subsequently went on to become the Northern Ireland Ombudsman. As I have said, I was chairman of Leitrim County Council, and a cousin of mine from Garrison happened to be chairman of Fermanagh District Council. We formed the embryonic organisation that today is known as ICBAN. It is referred to specifically in the report as an:

“example of effective working at the local level across the political parties north and south”.

That is a tribute to all those who continue to develop that legacy.

The maritime-separation element in the report is also an area that the subcommittee felt could perhaps be used to develop a significant land project. I think I am right in saying that, although the maritime-separation mileage has been extended to 150 km, the closest point between the UK and Ireland is from Wales to Wexford, a distance of 230 km. If there were to be a further increase in European funds, more research into a tunnel link between England and Ireland could be encouraged, which has already been mooted, in the sense that there are draft plans somewhere. Considering the incredulity that greeted the possibility of a Channel tunnel link

back in the mists of time, it is not beyond the bounds of possibility that a realistic opportunity could arise in future to develop a tunnel link between Wales and Ireland. That would complete the trans-European network.

Bill O’Brien, correctly, emphasised culture. There will be a 40% increase in funding under INTERREG III between 2006 and 2013. It is true that the United Kingdom and Irish level of participation has been small and low-level. In fact, the UK’s participation has probably been greater — that is surprising, given that we are always promoting our cultural image.

Bill O’Brien might like to know that I come from a mining area. The Arigna coalfield operated for more than 100 years where I live in Drumshanbo at the tip of Lough Allen, about 40 miles from here. When it closed, as many in the UK mining industry experienced, there were massive lay-offs. For almost 100 years, the industry employed 400 people in the area. When it closed in the late 1980s, people had to find alternative employment, which sadly did not happen. Indeed, there was massive emigration. However, the community picked itself up, and that coincided with the development of the LEADER programme, so much so — this will sound like a tourism plug — that there is now a tourist project called the Arigna mining experience, which permits those who have no knowledge of what mining is about to experience it at first hand. Former employees of the mining company now act as tourist guides. They go deep into the mountain to where the coal seams were — the miners had to excavate the coal lying on their backs. That project came about as a result of INTERREG and the LEADER programme. When Bill has been elevated to the House of Lords, he might devote his time to something like that.

I am very pleased that Cecilia Keaveney contributed. She is the distinguished Chairperson of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs 2002-07 in the Oireachtas and has brought a fresh approach to the job, based on her environmental upbringing in the north-west of Ireland. She is right to say that the music dimension is one that we should exploit more than we do; there is no question about that.

I fully agree with what was said about transport. Donegal, as a peripheral region linked to Derry, has suffered a great deal, and I am saddened that the report on transport drafted by the Body did not reach any conclusions. The reason for that is that a representative of the Democratic Unionist Party chaired the then Committee for the Environment at the Northern Ireland Assembly. He refused to meet Committee B because it represented the British-Irish Inter-Parliamentary Body.

As a result, the report was not put before the plenary and its recommendations were not acted on, which was rather a pity. The subcommittee tried to incorporate

elements of it into this report, and I commend the original draft to those interested in transport — it makes very worthwhile recommendations. I fully support Cecelia Keaveney's remarks about the development of inter-regional air links; that is one of our recommendations.

Finally, the highlights of the report, I would suggest, are recommendations 18 and 19, which should be read and absorbed and, I hope, act as a catalyst for further and deeper investigation and encouragement of the whole concept of INTERREG as a progressive move towards developing deeper links between our two sister islands.

**The Co-Chairman (Mr Pat Carey TD):** Thank you very much, Senator Mooney. It is an excellent report. As my Colleagues from the Irish Parliament will recognise, I have spent the last seven years working through that kind of report. It is very worthwhile; there is no doubt about that. I hope that account will be taken of it.

*Question put and agreed to.*

*Resolved:*

That the Body takes note of the Report of Committee B on cross-border European Funding Programmes [Doc No 102] and the conclusions and recommendations of the Report should be forwarded to both Governments and the devolved Administrations for their observations.

*The sitting was suspended at 1.22 pm.*

*The sitting was resumed at 2.40 pm.*

**The Co-Chairman (Mr David Winnick MP):**

Committee C will meet at 5.30 pm, immediately after the plenary, in the committee room on the first floor. On behalf of the Body I am pleased to welcome John Swinney, a leading member of the Scottish Parliament and of his party.

## INTERNATIONAL PROMOTIONAL ACTIVITIES

**Mr Murray Tosh MSP:** I beg to move

That the Body notes the activities of Ireland, the UK, the Devolved Administrations and Crown Dependencies in promoting themselves on the international stage.

The Scottish Parliament delegation is very content with the change in procedure initiated at the previous plenary in Chepstow whereby a slot on the agenda is made available to one or other of the devolved assemblies to introduce a topic for discussion. At Chepstow, the Welsh Assembly took the opportunity to debate smoking in public places. We decided to use the slot to discuss international promotion of Scotland, obviously, and the other political entities within these islands.

We are not at all frustrated, in that we do not consider it unimportant, to have had a political debate dominated by security issues, but we hope that we will be able to move beyond those issues one day, having resolved the problems aired this morning, and talk about all of the other issues that link our islands. Clearly, international promotion, relations and co-operation of all sorts are important. We had an important discussion this morning at the behest of the subcommittee, which Mike German introduced before lunch.

One big issue that we face is how to promote Scotland internationally. We do not just mean the obvious aspects such as tourism, culture and trade; there are much wider matters concerning our involvement with our neighbours within the United Kingdom, the islands of Britain and Ireland and the European Union. It is about playing a role in policy-making, ensuring that our voice is heard and that our interests are taken care of adequately.

Although foreign policy in the devolved settlement is a reserved matter, there are international dimensions to so much of what we do that the Scottish Parliament now has a European and External Relations Committee, whose purpose is to scrutinise ministerial policy and actions where they interface with Europe and other countries.

We are grateful that John Swinney is here this afternoon. Many of you will know him from his previous incarnation as the Westminster Member of Parliament for North Tayside, where he was first elected in 1997. He was



one of several high-calibre MPs who decided to transfer to the Scottish Parliament when it was set up in 1999, and he has remained there.

He made his mark early in the Scottish Parliament as an effective and vigorous convenor of the Enterprise and Lifelong Learning Committee, and in wider political debate as well, to the extent that he became the leader of the Scottish National Party for a time.

He has found a new role as a Committee convenor, once again, of the Scottish Parliament's European and External Relations Committee, which has just conducted and published an extensive report on how Scotland projects itself internationally, and what could be done to assist the promotion of Scotland. The report raises several issues that are of relevance to the National Assembly for Wales, the islands and the national Parliaments. Therefore, on behalf of the Scottish delegation, I am delighted to introduce John Swinney.

2.45 pm

**Mr John Swinney MSP:** I thank Murray Tosh for that introduction. Thank you, Co-Chairman, for the invitation to the plenary of the British-Irish Inter-Parliamentary Body. It is a pleasure to be here.

It is a great privilege for me to take part in the debate. I do so not only as an interested parliamentarian from one of the member institutions of the Body; I spent what I would describe as the most focused period of my academic life studying the politics surrounding the emergence of the Anglo-Irish Agreement in 1985 and the dialogue created between communities as a result.

Despite all the difficulties that have been confronted in the dialogue process, I admire the courage and vision that has enabled communities to make the progress that they have in recent years. Although some issues that were discussed earlier are of concern and may be alarming, enormous progress has been made in the debate over the intervening 20 years.

As I understand it, the central task of the Body is to create a mutual understanding between Members through common work and informal contacts, in order to give insights into each others' concerns and problems. I hope that today's debate on the promotion of our countries on the international stage will continue the learning experience for us all.

As convenor of the Scottish Parliament's European and External Relations Committee, I was responsible for drawing to a conclusion a long inquiry into the promotion of Scotland worldwide. I want to talk about the Committee's report and set it in the context of the international strategy developed by the Scottish Executive for the promotion of Scotland overseas.

Under the terms of our devolution arrangements, almost all aspects of foreign and international policy, external

representation issues and most aspects of European issues are reserved to the United Kingdom Parliament. Therefore, some might ask what the point is of the Scottish Executive's becoming involved in the promotion of Scotland and why a Committee of the Scottish Parliament should undertake scrutiny of this policy area. The answer is that the delineation of devolved competencies is never as simple as the definition may sound.

The Scottish Parliament has almost exclusive responsibility for economic development, tourism and for making Scotland an attractive place to live and work. Those responsibilities are hugely dependent on the success of promoting Scotland worldwide. Indeed, there is a widespread acceptance in Scotland that tourism and the attraction of long-term residents will play a decisive role in our future and our ability to deliver a stronger economic performance than we have to date. Therefore, the foundation of this area of activity is integral to the achievement of our Government's top priority, which is to deliver higher economic growth for Scotland.

In September 2004, the Scottish Executive published their international strategy, which forms the basis on which the Executive take forward their work to promote Scotland worldwide. The Committee's report, which was published a few weeks ago, examines that strategy, brings together extensive evidence-taking and presents constructive recommendations for further improvements. During the inquiry, the Committee not only took evidence from people in Scotland on how they thought Scotland should be presented, but learnt lessons from and exchanged experiences with different Administrations — in Wales, Northern Ireland and the Republic of Ireland — in order to learn how we, in very similar circumstances, could improve the promotion of Scotland overseas.

The Scottish Executive's strategy has three purposes: to set out the strategic goals for the Executive's international activity; to outline the international priorities on which the Executive plan to engage; and to identify the key means of delivering those priorities. The objective of the Government's international strategy is:

“to position Scotland internationally as a leading small nation, attractive to potential overseas partners and visitors and with a thriving and dynamic economy; and to bring effective influence to bear on the UK Government, other countries, regions and institutions on international policy issues affecting Scotland; and, within the scope of the Executive's devolved responsibilities, to encourage and support Scotland's contribution to international development.”

To realise those goals the Executive have announced a number of priorities: growing the Scottish economy; delivering excellent public services; supporting stronger and safer communities; and developing a confident and democratic Scotland. I should like to share with Members some of the examples of what the Executive intend to do to promote Scotland by supporting further economic

growth. They concentrate on promoting Scotland overseas as a good place to live, to work and to study particularly; encouraging students who are able to do so to stay in Scotland after graduation to make a further economic contribution; promoting Scotland as a destination for people taking up work permits; and trying to improve first impressions of Scotland for people who arrive in our midst. The Government are bringing forward a range of practical measures to promote Scotland overseas.

Generally speaking, the Committee's report, which was published in February, welcomes that strategy as an important and early step towards providing for a more focused effort in external relations. Indeed, the Committee takes some credit for that process because its inquiry took a total of 18 months, giving the Government, in the Committee's view, sufficient time to develop their thinking and accelerate their plans to pre-empt, in effect, the Committee's inquiry. We are a new institution and a learning Parliament, and my advice, if I could give it to other parliamentary Committees, would be that they should not give their Governments as much time as we gave ours to get their acts together.

Although the Committee believes that the Government are taking important and welcome steps, it is, however, critical of the pace of progress, critical of the effectiveness of delivery and concerned that greater potential could be realised for Scotland from the promotion of our country. The report, in short, says to the Scottish Executive that what has been done to date is welcome but that much more needs to be done to realise the opportunity that exists to promote Scotland abroad.

On the international strategy as a whole, the Committee recommends that the Government revisit it and bring much more cohesion to the integration of economic development, tourism, education, sporting activities and artistic development into the strategy. They should use all those different components of Government policy to boost the promotion of Scotland overseas. We take the view that the Scottish Executive can help with that whole area of priority by ensuring that there is cohesion within the Government when dealing with those matters.

The Committee recommends that there should be one Minister in the Executive with exclusive responsibility for all European and external relations issues. The role of Ministers responsible for European and external relations has had a varied history in the Scottish Executive since 1999. Over time, some of the responsibilities have been carried out as an adjunct to their other responsibilities by the First Minister, the Deputy First Minister, the Finance Minister or the Education Minister. Today we have six Ministers with some degree of responsibility for the promotion of Scotland overseas. The Committee takes the view that this is unworkable and contributes to the confusion of policy and the poor delivery that exists.

The Committee took the view that the most effective way of tackling that is through the appointment of one Cabinet-level Minister with responsibility for dealing with European and external relations matters in order to improve the co-ordination and cohesion of policy. In addition, we suggest a good deal of Civil Service realignment to achieve the aims that we have set out.

The Committee also spent a great deal of time assessing the importance and effectiveness of overseas outposts as a means of promoting Scotland abroad. We looked at the operation of our existing network of offices, ranging from a group of offices under the umbrella of our international investment arm, Scottish Development International, to the all-purpose Scotland House in Brussels, which provides an umbrella for all organisations Scottish to lobby and promote their message to the European institutions, to the appointment by the Scottish Executive of a full-time representative in the British Embassy in Washington, characterised in the tabloid press as "Scotland's first ambassador". We noted and welcomed the decision of the First Minister to establish a second outpost of this type — a representative office in Beijing, recognising the significance of the Chinese marketplace.

We did not keep our sights just on what we were doing. The Committee looked closely at the overseas operations of the Government of the National Assembly for Wales, the Northern Ireland Executive, the Flemish Government and the Government of Quebec. We visited some of the outposts of the Irish Government, particularly in the United States, and we were hugely impressed by the effectiveness of the Northern Ireland Bureau in Washington in acting as a dispassionate focal point for the promotion of Northern Ireland in the United States.

Notwithstanding the difficulties of the peace process, we saw how the Northern Ireland Bureau and the representative offices of the Irish Government co-operated to maximise the economic opportunities for the people of the North of Ireland.

We came to the conclusion that the network of Scottish Executive offices around the world would be strengthened if the work of the disparate agencies operating them were drawn closer together. Perhaps the best example we had was our experience of going to the representative offices of the Irish Republic where there seemed to be virtually no division in the operation of those offices between the diplomatic activity undertaken and the trade and tourism promotion activities. We felt that the Irish example had a great deal to teach us about how a country could be effectively promoted overseas.

The Committee took the view that the offices should be drawn together into a much more cohesive network directed to promote Scotland through a clear and

identifiable brand. We also thought that there were advantages in expanding that network to take in new and emerging markets, particularly in the accession states of the EU, to guarantee that the most is made of any economic opportunities.

We also took a step that surprised me. The Committee decided unanimously, with members of all parties present, to remind the Scottish Executive of the need to remind the Foreign Office of its obligation to use UK embassies across the globe to promote Scotland as a distinctive entity.

One significant aspect of promoting Scotland abroad is making the country attractive for people to come to live and work. The country's economic prospects are threatened by the decline in the population, which is more rapid than in most other parts of western Europe. The Scottish Executive recently launched the Fresh Talent initiative, an important strand of the international strategy that aims to reverse population decline and contribute to Scotland's future prosperity.

The First Minister, Jack McConnell, announced several measures to reach a target of encouraging an additional 8,000 people to live in Scotland each year until 2009. That will be done by retaining home-grown talent within Scotland, encouraging Scots who have moved away to come back home, and, finally, by creating more attractive and straightforward means whereby people who are new to Scotland can base themselves within the country.

The Committee's report welcomes that initiative as a step in the right direction and as a good example of the Executive's look at long-term challenges. We intend to look further at the whole area of policy during 2005 to determine whether every aspect of the opportunity is being realised.

There will be one-off opportunities to promote our country on a world stage: one is coming up in the next few months when the G8 summit takes place at Gleneagles in Perthshire, near to my constituency. That will provide an opportunity to showcase Scotland to a very wide audience in the most appropriate and effective way. Seizing opportunities from international events, be they political, sporting or cultural, provides an opportunity for greater economic activity.

The promotion of Scotland cannot be discussed adequately without the question of image and identity being chewed over. There is a much discussed tension within the promotion of Scotland about whether it is right to promote our country through tartan and shortbread or whether those images just reinforce outdated perceptions. Should we use those symbols or move on to more contemporary icons of Scotland? The problem is that many people in other countries recognise Scotland by tartan and shortbread and in the modern world recognition alone can be king. The Committee felt that

to dump those well known symbols would make little sense. We came to the view, not surprisingly, that there must be a balance between the contemporary and the historic in the promotion of Scotland and that whatever identity is utilised to promote Scotland to a wider audience should be an incorporation of the contemporary and the historic, and must include the national flag of Scotland, the saltire, within it.

The report was not exclusively directed towards the Scottish Executive; our new Parliament has lessons to learn into the bargain. Thankfully, after much toil and trouble, our new Parliament Building is complete. Despite the furore over its cost, its magnificence is a great asset in the promotion of Scotland. The Building is fast becoming one of the most attractive tourist destinations on the Edinburgh circuit. It is a blend of the old and the new and is promoted as such. The Parliament itself has the opportunity to act as a showcase for all aspects of Scottish democracy, creativity and talent, and particularly for the fine Scottish produce that graces so many of Scotland's restaurant tables. It has a role to play in the promotion of Scotland.

3.00 pm

There is still much work to do in the promotion of Scotland, and our Committee makes several constructive suggestions towards that end. The debate has come a long way in the six years since devolution. I still carry the scars of the 1999 Scottish Parliament election when my party put forward some modest proposals for the promotion of Scotland on the international stage through a network of outposts led by a Minister for External Affairs. We were denounced by all of our opponents — some of whom are here today — for wanting to waste vast sums of public money. The taunt was that we were interested in consulates not clinics — a slogan that I shall take to my grave. Mature debate recognises that the promotion of Scotland to a wider audience will have an enormous impact on our ability to create a higher level of economic performance and activity. Many of us observe enthusiastically how other parts of the United Kingdom and the Republic of Ireland are promoted on the international stage. By using the experience of those promotions, between our different institutions, we can capture the many opportunities that exist for the benefit of the people we represent.

**The Co-Chairman (Mr David Winnick MP):** I thank you for what was a most interesting talk, John. The Steering Committee met in Scotland in December, following an invitation by Murray Tosh and his colleagues, and we had a tour of the Building, which was very impressive indeed.

I remind the meeting that we are having our photograph taken at 3.30 pm. That will be a chance for us to be immortalised, and I hope that all will be present.

**Mr John Griffiths AM:** Diolch yn fawr. Thank you, Co-Chairman. Much of what John Swinney said is familiar to me from the debate and activities that have taken place in Wales. Wales also has a European and External Affairs Committee, which recently received a paper entitled 'Wales, a World Nation — a Strategic Framework'. The paper deals with what has occurred thus far and examines how to take matters forward. Devolution has been a huge success in Wales in raising the country's profile on the international stage. That brings great economic benefits in terms of trade, inward investment and tourism. There are also cultural, political and social benefits. Devolution has brought huge opportunities and given a great boost to Wales.

Devolution was much needed because we started from a fairly low base in Wales. Many Welsh people are familiar with going abroad and finding that people have either not heard of Wales or perhaps think that it is a county in England. Happily, that is becoming a less common experience six years after devolution.

Scotland and Ireland have many positive and recognisable international symbols. John Swinney mentioned tartan and shortbread, which are traditionally associated with Scotland. However, there are many more symbols, and the same is true of Ireland. You can go anywhere in the world and find an Irish pub. In fact, if you wandered into a clearing in the Amazonian rainforest, you would probably come across an Irish pub.

I am always struck by the strong history of temperance in Wales. *[Laughter.]* Until recently, we held a series of referendums on whether there should be drinking on a Sunday in some rural parts of Wales. People have said that perhaps we should have Welsh pubs, but we need something to make them distinctive. If they served milk and sarsaparilla instead of alcohol, that would be quite distinctive and different, but perhaps there is not a huge market for such things. When we look to learn lessons from our near neighbours, Ireland and Scotland, we have some catching up to do. However, a lot of work has been done, and Wales has real strengths. Some of the things traditionally associated with Wales are the land of song, male voice choirs that travel around the world, and opera. More recently, we have experienced the Cool Cymru phenomenon, with lots of good rock bands coming out of Wales, and, of course, there is rugby. We are enjoying a resurgence at the moment.

**Mr Jim Glennon TD:** That is only temporary. *[Laughter.]*

**Mr John Griffiths AM:** We are looking forward to the huge event in Cardiff in a couple of weeks.

There are real strengths that Wales can build on. We are in the business of trying to develop greater food and drink products. In fact, we even have a malt whisky

called Penderyn, which is very successful at the moment. *[Laughter.]*

**Mrs Margaret Ewing MSP:** It is terrible.

**Mr John Griffiths AM:** I think that I heard a Scottish Colleague saying that it is better than any Scottish malt whiskey. We are developing all of that in conjunction with organisations such as the Welsh Development Agency, the Wales Tourist Board and some of our key partners in academia and local government. There must be a partnership approach, and that is how we are trying to take things forward.

Recently, Rhodri Morgan hosted a St David's Day reception in London for 100 diplomats from all five continents across the globe. That was hugely successful, and it is the sort of thing that we are hoping to build on. There are also overseas offices and centres, as John Swinney mentioned. They have been quite controversial in Wales for the reasons that John covered. The offices are in places such as New York, Beijing, Hong Kong, Paris, Sydney and right across the world. They vary in terms of the presence — sometimes it is fairly modest and sometimes it is a fully working centre, but they have brought huge benefits. The Welsh Assembly sometimes leads at European Union Council of Ministers events on devolved topics. We are Members of the Committee of the Regions and various other European networks. Rhodri Morgan has a key role on sustainable development in the Committee of the Regions. As a body, the Assembly has a statutory commitment to sustainable development, which has attracted a lot of international interest, as has the fact that 50% of Assembly Members are female. That has put us on the world map.

Many positives flow from the Assembly. In addition, the Assembly Committees visit other parts of the world, as do individual Assembly Members. Some visitors come to the Assembly to learn about us; others come to address plenary sessions. Bob Carr, Premier of the New South Wales Parliament, paid us such a visit in the early days of the Assembly, as did Bertie Ahern. The Irish Consulate in Cardiff was a very welcome development, as was a similar establishment by the United States.

It is fair to say that devolution has been a huge success in raising the profile of Wales on the international stage. The paper that was sent to the European and External Affairs Committee of the National Assembly for Wales will build on that, realising the benefits that have already accrued, but also that much greater benefits could be realised. Through our vision of "Wales, a World Nation" we want to make Wales a location of choice for people to live, work, study, visit and where they can do business; to make Wales a nation with strong international trading; a key player able to influence national and international policies and proposals that affect the daily lives of the people of Wales; and a

valued partner in the sharing of knowledge, experience and expertise. The paper details how that can be best achieved, and, of course, it is open for debate and development.

I hope that I have given the Body a flavour of what is happening in Wales and have impressed upon it that there has been a great deal of activity. There is an all-singing, all-dancing vision, as it were, to develop our vision. Devolution has been of huge benefit, and it is being increasingly seen as such in Wales and across the world. *Diolch yn fawr.*

**Deputy Maurice Dubras:** Thank you, Co-Chairman. I shall take my lead from the last two Members to speak. “Promoting ourselves” sounds a little bit like blowing one’s own trumpet. Of course, that is not what we have been doing; we have kept a low profile since 1066, when we presented ourselves on the international stage at the battle of Hastings. Who has not at some time worn a garment of Jersey wool or drunk Jersey milk or eaten Jersey milk chocolate? Of course, our Jersey Royal potatoes are extra special, although I am reluctant to mention them in this country.

We have decided that furthering our international personality is important, if for no other reason than our economic survival has been put under international threat. It is also important, picking up on what John Griffiths said, that we recognise from time to time the pluralistic nature of our community. We will be happy to acknowledge that Ian Woosnam, who has adopted Jersey as his domicile, will be leading the Ryder Cup team in Ireland next year. We will not take too much pride in that; we will, however, ensure that it is well known.

To be serious for a moment, the furtherance of our international personality is extremely important to us — indeed, critical to our economic future. Last year, the Government established a strategic plan in which furthering our international personality took pride of place.

*3.15 pm*

We have always maintained and enhanced relationships with our closest neighbours, the United Kingdom and Normandy, and with France as a whole. Those relationships are traditional because for more than 800 years, Jersey has had rights and privileges in connection with the Crown. However, we have been affected by the dramatic change in the international business community, particularly in the last five years. The view taken on Jersey’s finance industry by the countries of the Organisation for Economic Co-operation and Development, and the European Union, has resulted in our having to take a completely new stance and demonstrate that we have a certain autonomy in such matters. We have been supportive of the United Kingdom’s role in acting on our behalf in external relationships and in making decisions with our

consent; however, things have shifted a bit. Most recently, due to our taxation autonomy, and with the United Kingdom’s consent, Jersey has been able to act directly and sign international income tax exchange agreements with the 25 nations of the European Union and with the United States of America. Those events are not insignificant for us.

The Good Friday Agreement has enabled us to take a place, alongside the other countries represented here, at the table of the British-Irish Council and to participate in its various working groups. We value that and wish it to continue; and the spin-off benefit is that we have the privilege and honour of being here today.

The finance industry is extraordinarily important for Jersey. I am pleased to say that our reputation for regulation, and for our anti-money-laundering legislation, has recently been acknowledged by the International Monetary Fund, placing us in the top drawer. Unfortunately, however, bribes cannot enable me to produce those earnestly sought tickets for the rugby match.

For many years, Jersey has played an important role as one of the small countries of the Commonwealth Parliamentary Association. We feel that we have been helpful in that arena and we hope that that can continue, perhaps taking a greater and more active part in the various vehicles of the Commonwealth. Furthermore, once our intellectual property legislation is in place, we see a potential future role, for example, in the World Trade Organisation. Our being small should not necessarily prevent that.

Finally, we do not often blow our own trumpet, so Jersey’s role in overseas aid is not, perhaps, visible. We have applied ourselves to that matter for many years, both with financial contributions and with people going overseas to support various small countries, as well as some larger ones. No strings were attached; we have played a very straight bat, to use the cricketing analogy that was made by the Lord Brooke this morning. Following the most recent worldwide tragedy, the tsunami, and because it was on the sixtieth anniversary of the Red Cross’s coming to our aid at the end of the war, the island’s community came together and contributed more than £2 million to the Red Cross tsunami relief appeal.

I hope that those few examples give Members a sense of the wide range of activities through which the island promotes itself, and of the pride that it takes in the process.

**Senator Martin Mansergh:** As someone who has a married daughter and a grandson living in Wales and a mother-in-law in the highlands of Scotland, I take a great deal of personal as well as political interest in the progress of devolution in Wales and Scotland.

I want to comment on a couple of points made by John Swinney. I understand his comments about the need for external co-ordination, but our experience is that most Ministers in a modern Government are involved in the promotion of their country abroad. There is no more graphic an illustration of that than what will happen next week on St Patrick's Day when virtually the entire Government — Ministers of State included — will fan out across the world to promote Ireland, leaving only about three at home to mind the shop. However, aside from St Patrick's Day, there is an external promotion aspect to most Ministers' work.

There are a couple of examples of how we have tried to do more, but it is obviously difficult where there have been fixed offices in places for some time. Over the past 15 years or so, we have tried to develop the concept of an Ireland House with a consulate where trade representatives, industrial investment promoters and tourism promoters could be brought together. I understand that this has been done in New York and Tokyo.

I was interested to hear the Welsh and Scottish representatives talking about trying to attract migrants. Scotland has set targets for 2009. Ireland seems to be attracting about 50,000 migrants a year — mostly, but not exclusively, from the new states of central and eastern Europe. There is general agreement that this has had an enormously positive impact on Ireland's economic development.

**Mr Robert Walter MP:** I was intrigued by the suggestion of a chain of Welsh temperance halls across the world. I fear that their appeal will probably be as limited as that other Welsh delicacy from my home city of Swansea — laver bread.

However, I want to make a serious point using John Swinney's model. Looking at the matter in a wider context — and even the larger European nations experience this — there is an increasing problem of how to maintain diplomatic and consular representation throughout the world. At the same time, there is a desire for a European minister for foreign affairs — and everything that goes with it — which is envisaged in the new European Union constitutional treaty; and in addition to that, the devolved Administrations and development agencies want to promote their own corner. The time has come for the 25 member states to see the European Union, and its missions, not as a representative of us all in some homogenous way but as a facilitator. It is not just about having a consular or a tourism representative located in a particular city; it is all the paraphernalia that goes with it — the office building, the meeting rooms, the dining room and the rest.

As members of the European Union, we should seriously consider establishing common facilities. For example, in francophone Africa — where none of us

have had an especially strong representation in the past — there could be a building in which any EU member state, devolved Administration or development agency could rent a desk or office space with full office facilities. In that way at least there would be a man on the ground, whereas at the moment, certainly as far as the British Government are concerned, diplomatic missions are being closed because of cost. We should be looking more constructively at getting something positive from our European co-operation by working towards that.

**Mr John Swinney MSP:** I must tell John Griffiths that I had the privilege of being at the St David's Day reception in Brussels last Monday evening, where I enjoyed a very convivial evening of music, food — and, I must tell you, some alcohol as well, in this temperance world that Wales now represents. As I left, I was given a bag of goodies to take away, which included two chocolates, a little carton of Welsh sea salt and a miniature of the new whisky from Wales. From what my colleagues tell me about it, the Welsh should stick to the non-alcoholic temperance hall ideas.

On a serious note, however, John Griffiths made a point about the importance of the power of diplomacy, in the sense of the dialogue arising from having a First Minister of Wales, as we have a First Minister of Scotland. There is a balance to be struck between whether diplomacy simply involves an endless array of talking shops or whether it actually fosters good debate and dialogue with other countries that leads to improved co-operation. There is much evidence that the devolved countries are succeeding in the latter.

Maurice Dubras said that many international issues have been added to the domestic agenda, particularly international aid. Under the international strategy of the Scottish Executive, where we have absolutely no statutory responsibility for international development, the Government have allocated £3 million of public money to support their objectives in relation to encouraging international aid.

We on the European and External Relations Committee are examining the Government's proposals, because we recognise that, regardless of the terms of our devolution settlements, we all have a responsibility to contribute in some way — however large or small — to helping developing countries face some of their challenges. The intervention of our Executive is welcome in that respect. It is indicative of an attitude that looks beyond the boundaries of our devolved settlement to do more to achieve objectives that are widely supported in the country but for which there is not necessarily a statutory basis.

Martin Mansergh made an absolutely fair point about every Minister having a responsibility to promote his or her country — I am glad to see that it takes just three Ministers to run Ireland at any one critical time.

**Ms Cecilia Keaveney TD:** Two of them will be at Cheltenham.

*[Laughter.]*

**Mr John Swinney MSP:** I do not think that we would get away with so few Ministers. Although all Ministers have that responsibility, Ireland is a mature state with a mature approach to those issues. We are still finding our way through many of them, and we require more focus and direction for that process, which reinforces the Committee's attitude.

I was really struck by Martin Mansergh's comment about the number of migrants going to Ireland — 50,000 per annum — and how it was expressed in such a welcoming fashion. My goodness, the debate in the United Kingdom is so much more depressing by comparison.

3.30 pm

In Scotland, we face an enormous challenge because of depopulation. We will face a very tough time ahead unless we are able to buck that trend by encouraging more of our own population to stay in the country — largely through providing economic opportunities, which has been the situation in Ireland, or by attracting others to Scotland, also through increased economic opportunities.

My final point relates to Robert Walter's comments, which got to the nub of some of the practicalities of external representation. Nobody wants to waste a vast amount of money promoting their country abroad. People want to ensure that we use the opportunities and strengths of our individual countries to maximum effect in a value-for-money sense on the international stage. That is a very constructive suggestion. I do not know how much thanks it will get in the channels of the Conservative Party these days — it sounds eminently too European-co-operative — but it is a welcome suggestion, and I am sure that the debate will be enhanced as a result of it.

**The Co-Chairman (Mr David Winnick MP):** I thank John very much for coming along. We genuinely appreciate it.

*Question put and agreed to.*

*Resolved:*

That the Body takes note of the activities of Ireland, the UK, the devolved Administrations and Crown Dependencies in promoting themselves on the international stage.

**The Co-Chairman (Mr David Winnick MP):** We will return at 4.00 pm, when Minister Mary Coughlan will speak to us.

*The sitting was suspended at 3.32 pm.*

*The sitting was resumed at 4.06 pm.*

## ADDRESS BY THE MINISTER FOR AGRICULTURE AND FOOD, MS MARY COUGHLAN TD

**The Co-Chairman (Mr Pat Carey TD):** I am delighted to welcome my Dáil colleague, and a representative for this constituency, Minister for Agriculture and Food, Mary Coughlan. Mary has been a Member of the Body, and this morning, Arthur Morgan, among others, suggested that one of the ways to gain preferment in this country is through membership of it, and then it is onwards and upwards. We shall see.

Minister, we are delighted to have you here, and we look forward to your address. There will be some questions at the end. Without further ado, I ask you to address us in your own constituency.

**The Minister for Agriculture and Food (Ms Mary Coughlan TD):** I dtús báire, a Chomh-Chathaoirligh agus a aíonna speisialta, ba mhaith liom a rá go bhfuil lúcháir orm a bheith anseo agus go díreach fáilte chroíúil a chur roimh gach duine, agus roimh na cuairteoirí go háirithe. Seo í an chéad ócáid do Chomhlacht Idir-Pharlaiminteach na Breataine-na hÉireann a bheith anseo; agus is mór an onóir domhsa a bheith sa láthair.

For those Irish parliamentarians who will not admit that they did not understand and for those from the United Kingdom — many of whom may have understood — I simply said that you are all very welcome to Donegal. I am glad that the weather has been good on the first occasion that the Body has come to Donegal and to this constituency. As a representative of this constituency and as a Minister, I extend a warm welcome to all Members.

At the risk of sounding slightly biased, Members have chosen the most wonderful part of the country in which to do their work, and I hope that many Members will come back to visit us. As Members know, I was a Member of the Body for several years and it is a great pleasure to see so many familiar faces. I congratulate my colleague, Pat Carey, on his appointment as the Irish Co-Chairman. I know that Members will join me in wishing him every success. Together with his distinguished Co-Chairman, David Winnick, Pat will do an excellent job in leading the Body's valuable work.

The Co-Chairmen and other members of the Steering Committee play an important role in ensuring the success of the Body's meetings. I also know that all Members have made very valuable contributions over the years.

As I understand it, some of our British colleagues have said that they will not be standing again in the next general election. I am pleased to take this opportunity to acknowledge their friendship, support and contribution to British-Irish relations and to wish those who are leaving the very best for the future. Many retired people whom I have met feel regenerated and rejuvenated and have wondered why the hell they had stayed so long in politics. I sincerely wish those Members every success for the future.

I know from my own experience how important and valuable the work of the Body has been in fostering a climate of partnership and mutual understanding between the two Governments and, in recent years in particular, between the peoples of these islands. That is much appreciated by the Government.

We have experienced extraordinary developments since the Body first met 15 years ago. Relations between Ireland and Britain have never been better than they are today. In addition, the presence here in Bundoran of so many colleagues representing so many Administrations is a powerful symbol of the immense changes that have been brought about by devolution in the United Kingdom and by the Good Friday Agreement. However, the fact that we have made so much progress and come so far together also serves to bring into sharp contrast the absence of our colleagues from the Northern Ireland Assembly. I am sure that Members look forward, as we do, to the early restoration of devolved government in Northern Ireland and an Assembly that will embrace, represent and serve the interests of all sides of the community.

Just as the presence of Members here shows the closeness of relations among the Parliaments of these islands, so the closeness of relations between Ireland and the British Government is evident in our continued efforts and shared determination to achieve lasting peace and stability in Northern Ireland.

All Members are familiar with the many twists and turns on the road to peace. These are challenging times for the peace process and for the people of Northern Ireland. I know that the Body discussed those issues this morning, and there is no need for me to rehearse the depressing narrative of recent incidents. Whatever the rights and wrongs of the speculation, there is no doubt that trust and confidence are in short supply, and we all need to redouble our efforts to rebuild them.

I am glad to take this opportunity to reiterate the Government's total commitment to achieving the full implementation of the Good Friday Agreement. Through the agreement itself, Weston Park and the joint declaration, and the comprehensive agreement of December 2004, we believe now that there is ample political context for all sides to move forward. Although we were tantalisingly close, it did not prove possible to reach agreement in December 2004 on the vital issues of decommissioning

and of ensuring a complete end to all forms of paramilitarism and criminal activity.

Clearly, those issues need to be resolved once and for all. We will be happy to play our part in facilitating that, but the focus must remain on the core problems. Distractions and evasions do not address the fundamental point that electoral mandates do not override democratic standards or the need to pursue political objectives through exclusively peaceful means.

Those issues are non-negotiable. They must be resolved so that we can move on with the full implementation of the agreement so that the people of Northern Ireland can enjoy its historic promise and potential. That is what the people of Ireland, North and South, voted for in 1998, and that has been what we have been working for ever since.

For our part, the Irish Government will continue to engage with the British Government and with all parties to advance all aspects of the agreement and to bring the peace process to a successful conclusion. Despite the present difficulties, the Good Friday Agreement remains the template for lasting peace in Northern Ireland. The principles of consent, partnership, equality, mutual respect and the pursuit of democratic objectives through exclusively peaceful means enshrined in the agreement remain the clear reference points for the new beginning that we all want for relationships on the island of Ireland.

The agreement also provides a new framework for the further development of the totality of relations between these islands. In that context, the successful work that the British-Irish Council continues to carry out in facilitating practical co-operation and consultation on a variety of issues of common interest is as encouraging as it is welcome.

4.15 pm

We must see more progress in building on the agreement's gains to date. Speaking as a Minister who represents a border constituency, I am particularly disappointed at the negative impact that the current impasse has on the full operation and development of the agreement's North/South dimension. There are so many sound practical and commercial reasons to develop further North/South co-operation and an all-island economy. Although much has been done, it is regrettable that a negative political context hinders our ability to move forward on those issues of common interest and to realise for people, North and South, the full social and economic potential of close-co-operation.

The North/South Ministerial Council, established under the agreement, brought together Ministers from both parts of the island to develop consultation, co-operation and action on matters of mutual interest. In Council meetings before the Assembly's suspension in October 2002, Ministers agreed a programme of



significant practical co-operation on health, education, transport and, of course, on my own area of agriculture.

After suspension, both Governments recognised the importance of ensuring that the essential public services and programmes that the North/South implementation bodies delivered could continue. The necessary legislation was passed so that the two Governments could provide the appropriate political oversight and direction until such time as a functioning Executive could be restored in Northern Ireland.

The six all-island implementation bodies and Tourism Ireland Ltd are now well established and play an important role in the delivery of services to the public in a range of sectors, including the promotion of food safety. Obviously, we would much prefer to do business with locally elected Northern Ireland Ministers in the North/South Ministerial Council, but, unfortunately, that is not possible.

Despite that, the Government are determined to take forward the Council's mandated work programme, because it makes sense to do so. For the same reason, we shall continue to identify and follow up on new possibilities for co-operation, where such co-operation is for mutual benefit.

I wish to make it clear that the Government are not interested in co-operation simply for co-operation's sake. North/South co-operation is about the two parts of the island combining resources and expertise to work together to achieve outcomes that would be more difficult, more expensive or, perhaps, impossible to achieve separately. Sound economic and social reasons exist for ever closer co-operation, and benefits that might otherwise elude us can be secured from such an approach.

Southern taxpayers pay for some 70% of the cost of the North/South bodies. We have a particular interest therefore in ensuring that North/South co-operation is cost-effective, efficient and accountable, and that it delivers value for money. Co-operation in the months ahead shall continue to be guided by those criteria.

I turn now to my area of direct ministerial responsibility. As many Members may well know, the agrifood sector in its broadest sense is a major component of this country's economy and is of great social significance throughout rural Ireland. It employs about 166,000 people and accounts for 8% of the gross domestic product (GDP), 7% of exports and about one fifth of net foreign earnings from traded goods.

More than 700 food companies provide direct employment to more than 40,000 people, while indirectly supporting 180,000 jobs in supply and ancillary services. Many of those food companies are small or micro-sized enterprises, with the micro firms representing 44% of all food and drink enterprises. The industry's spatial

strategy is also of unique importance, as a significant volume of food processing takes place in every county.

Issues affecting agriculture are therefore of profound interest and impact in an Irish context. One of the key developments in the agriculture sector has been the EU Luxembourg Agreement and in particular the decoupling of direct payments from production. The outworking of that agreement will have the most significant implications for farmers not only in Ireland but throughout these islands and across the EU. As many Members will know, Ireland has opted for full decoupling. I believe that this will allow Irish farmers to focus more sharply on the market and the demands of the final consumer. A further advantage of full decoupling will be a significant reduction in the level of bureaucracy in their dealings with central Government.

While some reduction in production can be expected under full decoupling, research indicates that the resulting increases in prices and reduced input costs should lead to an increase in farm incomes. Under the new regime the Irish food industry will be provided with better opportunities to source quality raw material. The better market orientation of primary production should assist food processors in developing and supplying quality markets. Full decoupling is also expected to have a positive impact on the environment by leading to a substantial reduction in the contribution made by agriculture to greenhouse gas emissions from Ireland.

The single payment scheme will go live this year, with payments issuing to all qualifying farmers later in the year, and it will herald a new era in Irish farming, with farmers having a greater freedom to farm and to tailor their enterprises to meet the needs of the marketplace and to reflect their own strengths, personal preferences and aspirations. It will certainly present challenges, but I am confident in the capacity of the farming sector to adapt, as so often before, to the needs of the new environment and to pursue the many opportunities and attractions that it has to offer Irish farmers.

As farmers on these islands accommodate the outworkings of the Luxembourg Agreement, I believe it will be important to share our experiences. The Body can play a very useful role in that regard. Indeed, I know that agricultural concerns are of particular interest to many Members here today. I recently had the pleasure of meeting one of the Committees of the Body that is carrying out an inquiry into the challenges and opportunities facing small farmers today. The importance of increasing co-operation, North and South, was one of the vital issues raised at that Committee meeting, and I can tell Members that North/South co-operation on agricultural issues has the potential to reap very significant, real and tangible benefits for our farmers.

Agriculture naturally lends itself to North/South co-operation. The issues of concern for the farmer are broadly similar whether he or she lives North or South of the border. Despite the suspension of the Northern Executive, there has been very good ongoing co-operation between officials of my Department and the Department of Agriculture and Rural Development in Northern Ireland. That co-operation covers a number of areas of activity including: the development of an all-island animal health and welfare strategy; examining the impact of the reform of the common agricultural policy; crop variety testing; organic farming; and forestry. There are also other areas of work where there has been excellent informal co-operation that we hope to build on in the future.

On animal health, there has been progress towards the development of an animal health strategy for the island as a whole. The ultimate objective is to free movement of animals on the island, subject to EU rules. That can generate real benefits for farmers and agribusiness, North and South. The main achievements to date are the development of a co-ordinated and complementary approach towards import policies and portal controls at points of entry to the island, the convergence of policies in regard to TB and brucellosis, the development of compatible systems of animal identification and scrapie, and the strengthening of co-ordination and co-operation between both Administrations on a variety of issues such as foot-and-mouth disease, BSE and cross-border fraud.

I am pleased with the progress made to date, but there is much work yet to be done. I am committed to advancing that work in the interests of farmers and others involved with the agrifood sectors and the wider community, North and South. There is no doubt that the suspension of devolved government in Northern Ireland reduces some of the momentum of the convergence process. That is particularly notable on trade issues between Great Britain and Northern Ireland.

There is a specific issue in relation to sheep, where there is traditional trade between Scotland and Northern Ireland. Future trading conditions in respect of this or any other trade in sheep between Northern Ireland and Great Britain need to be aligned with EU trade rules and agreed with the Commission and member states before the issue of an all-Ireland animal health status can be pursued.

On a broader level, total cross-border trade has grown by over 35% over the past 10 years. One third of all Northern Ireland companies now export to the South. These are encouraging statistics, particularly considering the lack of awareness of business opportunities closer to home that characterised the decades before the agreement. Organisations such as the Northern Ireland Business Alliance, the Irish Business and Employers Confederation (IBEC), the Confederation of British Industry (CBI) and the Chamberlink ventures between

chambers of commerce on both sides of the border have all played their part in this work.

InterTradeIreland was specifically established under the agreement to tackle barriers to North/South trade and to help businesses to realise the full potential of an all-Ireland market. Headquartered in Newry, InterTradeIreland has developed a range of activities aimed at facilitating trade and business contacts across the island. A major focus of its work is highlighting the need to improve business competitiveness in an all-island economy, and it is to be congratulated on its work to date.

The absence of devolved government in Northern Ireland, and the consequent inability of the North/South Ministerial Council to meet, means that Ministers from North and South are not engaged on those issues and are unable to agree strategies to respond to those challenges. The losers are ordinary citizens on both sides of the border who rightly expect their political representatives to address those challenges and arrive at policy solutions that will improve their lives.

The current impasse is not just political. It also represents an economic and social failure. At such a time, the close working partnership between the two Governments continues to be the fulcrum of stability in the process. We are determined not to allow the development of a political vacuum that would endanger the progress and achievements of recent years.

We will continue to work together and proactively use the machinery of the agreement — in particular, the British-Irish Intergovernmental Conference — to ensure that the gains of the agreement are protected and developed. My Colleague the Minister for Foreign Affairs co-chaired a meeting of the Conference last week with the Secretary of State for Northern Ireland, at which a wide range of issues including security, policing, equality and human rights agendas and options for the time ahead were discussed.

The Governments will continue to co-operate closely, and in pressing on with our work, we are sustained by the progress that has been made in recent years, and by the encouragement for our work from groups such as those I have mentioned, and whose support we value highly.

The work of the Body over the past 15 years in bringing Parliaments together is an outstanding role model for co-operation between us. I thank the Body for the contribution it has made to increasing dialogue and mutual understanding over the years. I assure the Body that despite current difficulties, we will continue to take forward the full implementation of the Good Friday Agreement.

I thank Members for their resilience. It is not easy to stay awake after a good lunch, especially when it

might seem better to be out on the golf course or round Rougey for a walk. I look forward to Members' questions and hope that they are not as difficult as those posed by my Opposition Members in Parliament.

I thank Members for coming to Donegal. The local public representatives and the people value the visit. I hope that everyone enjoys their short sojourn here, that they drink plenty of Guinness so that the malt and barley people will be looked after, and that they eat as much Irish beef and lamb as they can. If they enjoy it, they can take it home with them. I thank Members for the opportunity to address the Body.

**The Co-Chairman (Mr Pat Carey TD):** I thank the Minister for that extensive and detailed address. We will go into some of the issues that the Minister raised in greater detail during Question Time.

4.30 pm

## Oral Answers to Questions

**The Co-Chairman (Mr Pat Carey TD):** Question 1 is in the name of Michael Mates, and question 2 is in the name of Séamus Kirk. I understand that they will receive written replies as they are not here.

### Sport, Friendship and Mutual Understanding

3. **Mr John Griffiths AM** asked the Minister for Agriculture and Food if she will make a statement on the potential for sport to develop friendship and understanding between people and communities in Ireland and across the United Kingdom.

**The Minister for Agriculture and Food (Ms Mary Coughlan TD):** This is a nice easy question. Sport has a long tradition of bringing people and communities together. On the international front, the Olympics have been the world's greatest festival of athletic competition and international freedom. Athletes from all parts of the globe and all walks of life gather in one place every four years to realise their dreams and experience the glory of Olympic competition. Not everyone can be a medal winner, and therefore it is important never to forget the passionate belief of the founder of the modern Olympics — Baron Pierre de Coubertin — that sport possessed the power to benefit mankind and encourage peace among the nations of the world.

In rugby, Ireland's participation in the Six Nations Championship is a prime example — dangerous to say — of sport bringing people together, on most occasions. The event has existed for a long time, and many lifelong friendships have developed between players and supporters alike from all political and religious persuasions in Ireland and in the United Kingdom. Recent examples of sport developing friendships included that of Linfield Football Club first offering its training facilities to St Mary's Camogie Club, and then travelling to the Brandywell for the first time in nearly 40 years to play Derry City Football Club.

The Football Association of Ireland and the Irish Football Association have created a cross-border tournament to be known as the Setanta Cup. It will comprise six teams — three from each association. The teams will be the championship winners and runners-up in each association, together with the winners of the annual football association cups. The tournament will be made up of two groups of three teams, and every team will play one another on a home-and-away basis. The winners of each group will qualify for the final. This is a very welcome development that deserves success,

and I look forward to good attendances and friendly, sporting support for all the teams involved.

In other sports, particularly among clubs whose details go unpublished, there are examples of people developing friendships with their peers in the United Kingdom. That has brought a greater understanding between Irish communities and communities in the United Kingdom. The Government recognise the role that sport can play in fostering friendships among different communities and are very happy to continue to increase the level of funding to sport to strengthen this development.

Several cross-border sports projects are in operation, including Youth Sport West, the Code of Ethics and Good Practice for Children's Sport in Ireland and the All-Island Sports Development Conference.

**Mr John Griffiths AM:** I thank the Minister for that comprehensive answer. It rightly deals with the question on two levels: the elite level that grabs the headlines and the community level. Sport is a powerful tool for dealing with all sorts of issues, including the bringing together of communities that have been in conflict and the development of social inclusion.

The Minister mentioned the Six Nations Championship, which is very topical at the moment. We look forward to developing friendships and understanding when we go up to Scotland this weekend — perhaps not so much on the field, but certainly off it, and among the players afterwards. We are looking forward to what might be a truly great sporting occasion, if the results go the right way for Ireland and Wales before Ireland come to Cardiff in a couple of weeks' time.

**Ms Cecilia Keaveney TD:** Beware the referee.

**Mr John Griffiths AM:** We will not resort to the English way, moaning about the referee no matter what the result. Lifelong friendships develop around the Six Nations Championship. However, does the Minister think that there could be a more structured approach at the community and voluntary level to exchange visits and tournaments? Perhaps in that way we could determine how to support it with funding and organisation. Would a more structured and comprehensive consideration of that be useful?

**Ms Mary Coughlan TD:** The Member is right to say that a lot of sporting friendships have been built without people actually realising it, and that is to the credit of representatives of those sporting organisations that created great opportunities for young people, in particular, to travel and meet each other. Mentioning the rugby was unfortunate, but we will rise above it. I shall leave such comments to Deputy Glennon — he can scrummage better than I, although after Saturday I do not know who will come out a winner.

However, the Member is right to say that we can now build on a more formal structure. That is why the All-Island Sports Development Conference was established, for example, and why, through vocational education committees, we are building on a more structured formula between Northern Ireland and the Republic. Mr Griffiths is right to say that the role of volunteers is undervalued and has been unstructured for many years, but the friendships, bonds, relationships, camaraderie and the little bit of competition are tremendous ways of boosting and developing cross-border relationships, and, indeed all types of relationships. The development of more formal structures must come from the bottom up, and perhaps we could make progress on that. Opportunities exist, and funding has been provided, but perhaps the Member is right to say that things are developing, particularly with soccer. Rugby has developed; athletics is developing, and perhaps more structures could be facilitated. However, the All-Island Sports Development Conference has been established, and it has the funding to enable sporting organisations to be brought together.

**Senator Paschal Mooney:** I should like to thank John for tabling the question and the Minister for her comprehensive reply. To put the mood of the Body in context, at a previous plenary meeting I asked a similar question about the possibility of advancing close relations between the Irish Football Association and the Football Association of Ireland in the hope — and I make no secret of this — that eventually the only major sport on the island of Ireland that is not unified could be so. Every other sport on this island plays under an all-island structure, and it is sad that the one sport — the people's sport as it were — is so riven with sectarianism.

The Minister acknowledged in her reply the welcome but somewhat belated initiative that the IFA and the FAI have taken to create the Setanta Cup. That is the first step, and if the peace process for us Republicans is about the eventual unity of the island, I hope that the Setanta Cup is the first step. Many Unionists in the North pilloried me when that question came up. It is not about the South taking over the North; it is about 15 men — as happens in rugby, and we are talking about the male side of the equation — representing the island of Ireland as an Ireland in which the fans who wear orange and those who wear green are quite comfortable enjoying their visits to Lansdowne Road to cheer on 15 men in green. I hope that the day will come when we have 11 men in green — the one green — who represent the island of Ireland. That is not about threatening anybody; it is about unification.

Will the Minister continue to encourage the initiatives that she has described? I also ask whether this Body might put itself at the disposal of the sporting authorities, particularly in the light of the strong loyalty to Celtic

Football Club among many on this island. On the other hand, any Members who saw the recent 'Panorama' programme and who support Rangers will know that there is an underlying sectarianism that needs to be rooted out, and the Body could support the First Minister of Scotland in his attempts to do that.

**Ms Mary Coughlan TD:** That is not my area of competence, but I know that the Minister for Arts, Sport and Tourism is anxious to develop those initiatives. Supporters are not necessarily the issue; the organisations and how they co-operate are important. Soccer federations' current circumstances mean that they are difficult to work with, and those problems have to be facilitated. However, there has been tremendous change in support. We do not want to force people to make decisions: we would rather allow them to develop ideas.

**Mr Kevin Brennan MP:** Having read about the Minister in the papers, I congratulate her on her forthright style of speaking. I do not think that she should have apologised.

Sport is a great way of spreading friendship and understanding; indeed, if someone possesses a ticket to the Ireland/Wales game I will make a lot of friends. I led a group of boys to Ireland on a rugby tour many years ago, so I know that sport can create opportunities for friendship and understanding.

Is anything being done in Ireland to make such opportunities more available to girls and women? There is a discrepancy in the United Kingdom in what is available to them.

**Ms Mary Coughlan TD:** We considered initiatives for women in sport some years ago. The GAA is very much involved, and we support proudly the women who, on occasion, do much better than the men. It is sacrilegious to say that in this hotel, because its owner is the manager of the Donegal male football team. However, the women's team has done much better recently.

Rugby, soccer and athletics are very popular, and there are new initiatives to encourage more women into sport. Several factors have encouraged those initiatives, including friendship and camaraderie. They also address other serious issues in this country and the UK, such as obesity and the lack of exercise among young people who are not involved and not interested in sport. There will be a further drive to encourage all young people — as well as men and women — into sport. The Member is right to say that initiative has taken off in the past five to six years and that it has been very successful.

### Travel between Northern Ireland and Scotland

4. **Mrs Margaret Ewing MSP** asked whether the Minister for Agriculture and Food has received any representations regarding the impact of cheap air flights

on the continuation of ferry services between Scotland and Northern Ireland.

**Ms Mary Coughlan TD:** The Government are not aware of any representations having been made to the Minister for Communications, Marine and Natural Resources about the impact that cheap air services have on ferry services between Scotland and Northern Ireland. That Department has no function in the operation of ferry services between Northern Ireland and Scotland.

Ferry services between Ireland and Britain compete directly with air services. Responsibility for transport links between Ireland and Britain rests with private operators. Since the early 1990s air transport in the EU has been fully liberalised, and European carriers may introduce air services on any route subject only to the availability of airport slots at either end of the route and, of course, to overall safety considerations. As a result of the liberalisation of European aviation markets there are no Government or EU controls, and the provision of air services on a particular route is essentially a matter for the commercial judgement of the individual airlines.

No scheduled roll-on/roll-off passenger ferry service operates between the South and Scotland. Ferry capacity from Dublin and Dún Laoghaire to Holyhead is currently considered more than adequate.

**Mrs Margaret Ewing MSP:** I thank the Minister for her extensive answer. Does she realise how important the exchange between Scotland and Northern Ireland has become to tourism and that that exchange has been consistently growing in the past year? Ferry transport appeals to those sections of the community who wish to avoid what I, as a frequent traveller, can only describe as the chaos of some airports. Is she aware of the recent loss of the Belfast to Troon service, which last year carried over 300,000 passengers and almost 73,000 vehicles? Those are very large numbers. That service also employed 45 people — 41 in Belfast and 4 in Scotland — and I understand that all of them lost their jobs.

If ferry transport is to survive, those services should not be easily let go. Tourism between Scotland and Northern Ireland should be encouraged because of the many ties that exist and because the ferry services are often used as a gateway to the Republic.

Does the Minister believe that there are no mechanisms available that could be developed and enhanced to support the ferry link between Scotland and Northern Ireland? All would benefit extensively from such support.

4.45 pm

**Ms Mary Coughlan TD:** I was involved in the recent difficulty in the South of Ireland when the roll-on-/roll-off service was removed. It took a considerable amount of work to ensure that the service was brought back. All

ferry companies will say that they are under severe pressure and that state aid is a huge issue because they cannot upgrade their facilities or get grant aid. The MARCO POLO programme is the only European initiative of which I am aware that could be applied. One could apply for that when there is no competition on a route, but only small amounts of money are available.

Mrs Ewing is correct in saying that the ferry services are under pressure. Those services are necessary for tourism and commerce given that Ireland is an island and that Scotland has had close links with Northern Ireland. For many people air travel is the easier option, but I am also unfavourably disposed to airport chaos. The biggest problem is state aid. If ferry services cannot compete to ensure passenger comfort they will have difficulties, even though ferry travel is popular among families.

**Ms Cecilia Keavney TD:** The Belfast-Troon ferry was an important link. I come from a town where the Oban-Moville ferry was used. Commercial factors are important, but passengers do not always have to get to their destination in half an hour. For example, a mini-cruise service could be set up; however, I am not thinking about a such a service for a short break from Northern Ireland to Scotland. A feasibility study should be carried out to investigate alternatives.

INTERREG funding was discussed this morning. For the area comprising Donegal, the Six Counties and Scotland, INTERREG may provide an opportunity for funding that could overcome state aid if multiple countries are involved. Is it worth doing a feasibility study on that?

**Ms Mary Coughlan TD:** INTERREG is a European programme in itself, and I assume that it circumvents the aid problem, although it may not. I am unsure because it falls under the remit of the Minister for Transport.

The ferry companies are frustrated because they are finding it difficult to compete. That is the situation across the European Union — ferry companies have to compete with larger operators. Making those companies commercially viable depends on several factors: dry goods, agricultural exports, which are important for us, and tourism. The commercial aspects become difficult when one becomes reliant on one factor. However, it is for the Body to decide whether it wants to make a recommendation that affects ferry services.

I know that a successful ferry operates in Cecilia's part of the world, but that had to obtain funding from the local community and the local county council to continue. I am not sure whether the Scottish Parliament or the relevant councils on that coast could do anything to circumvent the state aid issues; however, I should not necessarily say that in public. There must be ways to ensure that that traditional service survives. It is correct to say that the ferries' difficulties have a

dramatic impact on job losses in a small place such as Troon, which is so reliant on that industry.

**Mr Seymour Crawford TD:** The ferry service between Larne and Stranraer/Cairnryan is important not just for tourism, as Ms Ewing said, but also for industry in Northern Ireland and the border counties. Anything that can be done, within European law, to maintain it is vital. I use the service regularly and know how much industry uses it.

**Ms Mary Coughlan TD:** The Member is right. We could increase the capacity of Larne for animal exports. There is a tradition between Scotland and Ireland of breeding sheep and pigs, for example; however, there are difficulties, because Larne is not a designated port of entry. Perhaps we could work together on the all-Ireland concept, and that would add a greater capacity to the ferries. As the Member said, the service is very important. This part of the world would look towards Larne as a port of entry as opposed to further south.

### **All-Ireland Ban on Smoking in Public Places**

5. **The Lord Dubs** asked the Minister for Agriculture and Food what progress is being made towards achieving an all-Ireland ban on smoking in public places.

**Ms Mary Coughlan TD:** My colleague Minister Micheál Martin is sorry that he is not taking this question.

On 29 March 2004, most enclosed places of work in the South became smoke free. The primary purpose of the measure is to protect the health of workers and the public from exposure to toxic second-hand tobacco smoke.

The facts on smoking and the damage caused by passive smoking are well established. Second-hand tobacco smoke is a cause of cancer, heart disease and respiratory problems, and people need to be protected from being exposed to it. The Northern Ireland authorities would be responsible for introducing any proposals along those lines in their own jurisdiction.

We note with interest that the Northern Ireland Department of Health, Social Services and Public Safety is conducting a consultation process on the paper 'A Healthier Future: A Twenty Year Vision for Health and Wellbeing in Northern Ireland', which includes options for action to reduce smoking. We wish the Department well in its efforts.

The decision to introduce smoke-free workplaces in Ireland is based on independent advice from experts that is emphatic. The report 'Health Effects of Environmental Tobacco Smoke in the Workplace', published in January 2003, was commissioned by the Office of Tobacco Control (OTC) and the Health and Safety Authority (HSA). The report was prepared by an independent expert scientific group. The conclusions in the report

are quite blunt on the risks to health of tobacco smoke and on what needs to be done to protect employees. Second-hand tobacco smoke is a cause of cancer and respiratory problems. Employees need to be protected from exposure to second-hand smoke at work. Current ventilation technology is ineffective at removing the risk to health, and legislative measures are required to protect workers from the adverse effects of exposure. That is a positive, progressive health and safety measure that brings immediate and long-term positive benefits to workers and the general public alike.

The response to date across all sectors is very positive with compliance at a very high level. The successful introduction of the new measures reflected the widespread public support and goodwill that exists for a healthy smoke-free environment in the workplace. The responsible and co-operative approach to the new smoke-free workplace requirements shown by employers and employees, particularly in the hospitality industry, and by the public has contributed enormously to its success.

Most people are law abiding, and fears over widespread non-compliance and difficulties in enforcement have not materialised. Employers, managers, proprietors and the public, both smokers and non-smokers, have adapted well to the new environment. Smoke-free enclosed workplaces are being accepted as the norm. Future generations will also benefit greatly from our smoke-free at-work policy. Ireland is a strong advocate of effective tobacco control policies and has consistently pressed those policies internationally in order to protect public health and reduce deaths from tobacco-related illnesses.

**The Lord Dubs:** Many of us are full of admiration for the stand that the Republic has taken. Will the Minister agree that the vast majority of people in Northern Ireland and, as far as I can tell, the vast majority of elected politicians in Northern Ireland, want a ban there similar to that in the Republic and that, therefore, progress is being held up by the British Government? I do not expect the Minister to speak for the British Government: indeed, if she were a British Government Minister, I would be less polite. Will she agree that it is a disgrace that the majority of people in Northern Ireland want a measure that will manifestly improve their health, but on which there has been no progress?

**Ms Mary Coughlan TD:** I recently heard the equivalent of our Chief Medical Officer at the UK Department of Health express grave concerns that Northern Ireland could be seen as a haven, a sort of smokers' paradise. He expressed concerns about the differences in policies. I know that there has been a change of attitude in several EU countries.

The success of the smoking ban here augurs well for others taking such an initiative, and I know that the

Scots are considering one as well. It was not without its difficulties. However, in the main, people savour the pleasure of working in a smoke-free environment and of going out for an evening and not having to wash their hair and clothes afterwards. One must appreciate, however, that people do smoke and that some, especially the older generation, find it very difficult to give up. Nevertheless, the success of our ban augurs well for those who are considering following our example. The discussions in Northern Ireland should come out in favour of such a ban.

**Mr Johnny Brady TD:** I would, first of all, like to thank Lord Dubs for asking this important question. We in County Meath are often told by the trade of the advantage that trade in Northern Ireland has over trade in the Republic. I am sure that the people of Donegal, Cavan, Monaghan and Louth suffer more than those in County Meath. Coming as she does from a border county, the Minister is well aware of that. A ban would, however, be very welcome.

We all know that the smoking ban in the Republic has been a tremendous success, and an all-Ireland smoking ban should be pursued vigorously; it would be very welcome.

**Dr Jerry Cowley TD:** Thank you, Co-Chairman. I cannot say that I agreed with everything that Micheál Martin did as Minister for Health, but this is an issue on which I certainly agreed with him; and I said so as well. For introducing the smoking ban, if for nothing else, he will go down in history as one of the great Health Ministers. Some people will be in favour of a ban, and others will oppose it; however, from a medical point of view and speaking as a GP, I must say that it makes a great deal of sense.

There are aesthetic as well as health reasons for favouring a ban: it is horrible to be seated beside someone who is smoking. They are not merely irritating you; they are also interfering with your health and shortening your life span.

I feel strongly that Northern Ireland should introduce such a ban, as should the UK — and everywhere else for that matter. A ban does make a difference: not only are non-smokers no longer obliged to smoke passively, but smokers are encouraged to give up because they must go outside into the cold to smoke. From every point of view, it makes sense to have a complete smoking ban in public places. It took courage to do it, and the same courage is required in Northern Ireland and in the UK as well.

**Ms Mary Coughlan TD:** I agree. I also empathise with Johnny Brady's point that the border counties face unfair competition. Therefore we actively encourage

others to introduce a smoking ban, and it makes life easier from an EU perspective if we all do the same thing.

5.00 pm

### Sellafield Nuclear Reprocessing Plant

6. **Mr Joe Sherlock TD** asked the Minister for Agriculture and Food what progress has been made to date with the Government's international legal action relating to securing the closure of the Sellafield nuclear reprocessing plant; if the Minister is concerned at the recent report, carried out by a number of groups including British Nuclear Fuels Ltd and groups opposed to nuclear power, that Sellafield remains the single biggest threat to Irish national safety and security in the event of a terrorist attack on the plant; if Government policy remains in favour of closing Sellafield; and if the matter has been raised recently with British authorities.

**Ms Mary Coughlan TD:** In June 2003, the Government initiated international legal proceedings against the United Kingdom under the United Nations Convention on the Law of the Sea (UNCLOS) in relation to the Sellafield mixed oxide (MOX) fuel plant. The current position in relation to the litigation by Ireland under UNCLOS is that the arbitration remains suspended, pending resolution of jurisdictional issues in the dispute that were raised by the European Commission. However, the tribunal in the case issued an order on 24 June 2003, after hearing an application by Ireland for provisional measures.

The provisional measures award recommended that Ireland and the United Kingdom enter into dialogue to improve co-operation and consultation between the two Governments, and report to the tribunal on specified dates. The Minister for the Environment, Heritage and Local Government reported on the progress from the co-operation discussions at the signing of an agreement on early notification and exchange of information arrangements between Ireland and the United Kingdom on 10 December 2004.

The improved co-operation measures include, inter alia, the facilitating of visits to Sellafield by the Radiological Protection Institute of Ireland and An Garda Síochána, provision of access for the institute to the UK radiation monitoring system, and a series of initiatives to develop and improve existing co-operation arrangements between both Governments.

In December 2004, the British Nuclear Fuels Ltd National Dialogue report by a security working group was published and is available on the UK Environment Council web site. The report reached numerous conclusions across a range of topics and made recommendations. It is not focused on the security and safety threat to Ireland, but many of the issues raised are relevant to Irish concerns. Those issues are repeatedly raised at

ministerial and official level at meetings between officials of the Department of the Environment, Heritage and Local Government and their UK counterparts. Indeed, security-related issues form part of international legal proceedings brought by this Government against the United Kingdom in relation to the Sellafield MOX plant, under the United Nations Convention on the Law of the Sea.

In response to the security concerns raised by the Irish Government, the UK authorities have given assurances that they are satisfied that arrangements for ensuring security in the UK's civil nuclear industry are robust, that additional measures put in place since September 2001 to reinforce security are appropriate, and that those security arrangements are subject to continual review.

The UK has also indicated that the Royal Air Force maintains a high state of readiness in the air defence of the UK, including the defence of particularly sensitive targets, and its state of readiness is kept under constant review.

The assurances and information on nuclear security issues from the UK authorities are received by the Irish Government in good faith. Discussions are ongoing to put in place an improved mechanism for security information exchange between the UK and Ireland. Any matters raised in this report that have relevance to the security and safety interests of Ireland in relation to Sellafield will be included in those discussions.

In accordance with the commitment in the agreed Programme for Government, the policy of this Government is to bring about the safe and orderly closure of Sellafield. This is based on our concerns about the potential hazards arising from a nuclear accident or incident; the impact of radioactive discharge on the marine environment; concerns about the generation, management and disposal of radioactive waste; and the risk posed by the associated transport of radioactive materials through the Irish Sea.

The UK response to these concerns is that radioactive discharges from Sellafield pose no threat to human health or to the environment; that the Sellafield plant and related transport are safe and secure; and that the legacy wastes arising from the UK nuclear programmes are being addressed through the establishment of the Nuclear Decommissioning Authority.

Ongoing contact through correspondence and meetings at ministerial, official and expert level is being maintained with the UK authorities regarding a range of issues in relation to the Sellafield nuclear plant. There remains, however, a significant difference of views between the Irish and the UK Governments regarding the continued operation of Sellafield. The Irish Government will continue to explore further options as they become available.



**Mr Joe Sherlock TD:** I thank the Minister for her lengthy reply. Sellafield remains the single biggest threat to Irish national safety and security in the event of a terrorist attack on the plant. If the Government's policy on closing Sellafield remains the same, have they raised the matter again with the British authorities in the light of the recent report?

**Ms Mary Coughlan TD:** The report was published in December 2004, and the British Government have given assurances on the safety and security issues. However, we still have a serious concern about Sellafield, and the ultimate aim of the Irish Government is to ensure that the plant is decommissioned.

There will be ongoing security contacts between both Governments. You are rightly concerned about that, and I will again bring your concerns and those of the Body to the Minister for the Environment, Heritage and Local Government.

### **Inclusion of Sinn Féin in the Peace Process**

7. **Mr Harry Barnes MP** asked, in the light of the Northern Bank robbery, the IMC report and the murder of Robert McCartney, if the Minister will make a statement on the ongoing inclusion of Sinn Féin in the peace process.

**Ms Mary Coughlan TD:** The Good Friday Agreement is based on the principle of inclusiveness. The Government have consistently worked to ensure that the peace process operates on an inclusive basis. It is impossible to work towards a lasting settlement of all the issues involved under a system which excludes the electoral representatives of a large section of the people.

Any arrangement that seeks to exclude the largest Nationalist or Unionist party is inherently unstable. Both Governments believe that the political process in Northern Ireland has suffered a serious setback over recent weeks, and that major steps must be taken by the Republican movement if trust and confidence are to be restored. However, we have also consistently indicated that engagement, not exclusion, is the way forward. Such engagement must be grounded on the removal of the primary obstacles to progress, namely ongoing paramilitary and criminal activity. The Government have made it clear to Sinn Féin that any prospect of restoring inclusive government in Northern Ireland is contingent on the Republican movement definitely addressing the crux issues of paramilitarism and criminal activity, and therefore restoring the necessary trust to the political process.

**Mr Harry Barnes MP:** To reach such a nature of discussion and decision-making, involving Sinn Féin, considerable pressure should be put on them, threatening that action could be taken in certain circumstances without them. Conditions — perhaps strict, clear and for early

decision-making — could be set in place which would call for the resolution by a certain time of such issues as the return of those people who have been forced out of Northern Ireland and into exile by the Provisional IRA, as well as the rackets and intimidation that we are all aware of.

In the meantime, action could be taken by the two Governments on such matters as asset recovery to tackle the position of the Provisional IRA, Provisional Sinn Féin and other individuals known to be associated with them. Some control should also be imposed on donations to political parties which operate on an all-Ireland basis, parties such as Sinn Féin. Those controls might have retrospective elements and would come from agreement between the United Kingdom Government and the Government of the Republic of Ireland.

**Ms Mary Coughlan TD:** As Harry Barnes knows, the Independent Monitoring Commission made recommendations and action was taken. At the time, the Taoiseach expressed the concern that — notwithstanding the recommendations — sanctions may detract from where we wish to go. Having said that, if there is sincerity in the view that there will be an end to criminality and paramilitary activity, then there should be no fear in the introduction of anything corresponding to the Criminal Assets Bureau. They must do their work in the context of this country and equally in Northern Ireland.

The concerns are now with Sinn Féin. They will have to evaluate where they are going. A democratic society does not accept these types of actions; they are outside the gamut of the normal political process. We are anxious to make progress on the basis of the change that is required to allow us to pursue what we want — the resumption of the bodies. However, at present, the Taoiseach has indicated that certain types of sanctions may detract from where we want to go, but, as you know, that is not to say that the British Government feel the same.

The other issues you raised might be considered.

### **Action by Irish Government on Terms of the Good Friday Agreement**

8. **Mr Arthur Morgan TD** asked the Minister if, given the Irish Government's co-equal responsibility for securing the implementation of the Good Friday Agreement and the Government's expressed opposition to the imposition of sanctions by the British Secretary of State against Sinn Féin, the Minister will set out the action the Government is proposing or intending to take to ensure that the British Government acts within the terms of the Good Friday Agreement as endorsed by over 70% of the electorate North and South, and to break the political logjam which has continued following the

refusal of the DUP in December to go into a power-sharing Government in the North.

**Ms Mary Coughlan TD:** The Irish Government have worked consistently with the British Government and all the parties to try to secure the full implementation of the Good Friday Agreement and the sustained operation of its institutions. The proposals for a comprehensive agreement, published by the two Governments on 8 December 2004, covered the key issues that must be resolved to assure, finally and definitely, peace and political stability in Northern Ireland.

They address the four crux issues, which have been the subject of intensive discussions since the Assembly elections in November 2003: ending paramilitarism, arms decommissioning, completing the policing project and ensuring sustainable political institutions. Regrettably, it is not possible to achieve agreement on the transparency of arms decommissioning or on the ending of all forms of criminal activity.

Recent developments, including the attribution by the Chief Constable, Hugh Orde, of responsibility for the Northern Bank raid to the Provisional IRA, and the sharing of that assessment by An Garda Síochána, have validated the need for definite and demonstrable action in relation to the ending of criminal activity, if the public confidence necessary to sustain inclusive government is to be achieved.

All our collective endeavours have been focused on achieving the trust and confidence needed to achieve the full implementation of the Good Friday Agreement, including the inclusive operation of its institutions and a clear commitment to exclusively peaceful and democratic means by all participants. That must include an immediate end to all forms of paramilitary and criminal activity. The Government welcome Dr Paisley's recent interview, in which he indicated that, if the Republican movement fully decommissioned and ended all forms of paramilitary and criminal activity, the DUP would be prepared to work with Sinn Féin in government.

Notwithstanding current difficulties, the two Governments have an obligation to advance the implementation of all aspects of the Good Friday Agreement as endorsed by the people of this island. We are determined that the gains of recent years should not be jeopardised, and we are conscious of the need to avoid a prolonged fallow period. Accordingly, the British-Irish Intergovernmental Conference will continue to meet regularly. I have arranged for a copy of the joint communiqué from its recent meeting in Dublin on March 2 to be made available to Members of the Body.

**Mr Arthur Morgan TD:** Is the international agreement signed by the two Governments on Good Friday 1998 a co-equal agreement? If so, can the Minister confirm that the Taoiseach publicly said on a number of occasions that he is opposed to the introduction of sanctions? I

have heard him say that, so I hope that the Minister will agree with me; I look forward to her answer.

The British Government have introduced sanctions against my party; what action is your Government going to take about that? If the Irish Government are a co-equal with the Government across the water, then surely to goodness they must also have the power of sanctions. Can that unilateral action go ahead? Does the Minister agree with my image of our Taoiseach bobbing along like a little pink poodle behind this big British bulldog and being dragged all over the place? What is he doing to defend this Irish political party against what is happening?

**Ms Mary Coughlan TD:** Let me say a couple of things: I indicated in my reply to Harry Barnes that, despite the recommendations of the Independent Monitoring Commission, the Taoiseach decided not to progress with sanctions at this time, as he felt that it would detract from trying to bring together the process.

Comparing the Taoiseach to a pink poodle would not be a very bright idea —

**Mr Arthur Morgan TD:** That is the image that is conjured up.

**Ms Mary Coughlan TD:** — neither is comparing the British Prime Minister to a bulldog. Perhaps those are comparative terms that could be used for others. That said, at the end of the day, instead of dealing in the superfluous, we are looking at an opportunity for Sinn Féin, and a public representative of that body, to move the process on by dealing with the issues of criminality and paramilitary activity.

**Mr Arthur Morgan TD:** That was not my question, Minister.

**Ms Mary Coughlan TD:** Well, I am not going to be like your leader, where last night he decided that he was going to question the questioner as opposed to answering the question. I have answered the question by saying that the Taoiseach has decided that the imposition of sanctions is not the way forward; I cannot answer the other issue because I am not a member of the British Government.

5.15 pm

**Mr Kevin McNamara MP:** Is the Minister aware that the matter of sanctions against Sinn Féin will be subject to a vote in the House of Commons? The privileges given to Sinn Féin were quite unusual in the context of the British political scene, in that MPs who did not take their seats were given access to the House of Commons, to private rooms, and to money for the support of their party and for organisational purposes. That was done on the basis of Sinn Féin's undertaking to pursue policies of exclusively peaceful and democratic means. If a decision is taken this week by the British Parliament to remove those privileges, it

will be a statement by a democratic body that those privileges — which were given by Parliament, not by Government — have been abused. I will not state how I will vote, but I have outlined the attitude in the United Kingdom Parliament to this matter.

**Ms Mary Coughlan TD:** I will not influence the vote of any Member of the House of Commons in any way. That decision is a matter for a democratically elected Parliament. If people wish to pursue an alternative, they must participate in — and live by — existing agreements.

**Senator Martin Mansergh:** Does the Minister agree that while the two Governments are co-equal in relation to the agreement as a whole, they are not co-equal in relation to strand one matters? Those clearly fall within the jurisdiction of the British Government, as the agreement states. It is obvious that the Irish Government, while they can express a view on sanctions, have no jurisdiction whatsoever at Westminster.

I regard what Deputy Arthur Morgan said as highly offensive. The Taoiseach has done more than anyone to ease the transition of the Republican movement into full democratic politics. Does the Minister agree that if there is a democratic deficit, it is not the fault of the Irish Government, but that the Republican movement must act fully to implement its commitments under the Mitchell principles and under the Good Friday Agreement?

**The Lord Brooke:** Would a reasonable man say that it would assist the resolution of a political logjam to allow a highly suspect bank robbery to proceed?

**Mr John Hume MP:** Does the Minister agree that not only a complete end to violence, but a complete end to the existence of the organisations engaged in violence, was implicit in the Good Friday Agreement, which was overwhelmingly endorsed by the vast majority of the people of Ireland, North and South? Should the Government not insist that that is the reality, given that the IRA has always claimed that it is acting in the name of the Irish people? Let the IRA now act in the name of the Irish people, and cease to exist.

**Ms Mary Coughlan TD:** It is obvious that we were at a stage where we could have brought this matter to finality, but one issue totally disassembled it, and it was that of trust. We could not proceed on an agreement without trust, and that trust was removed. I wholeheartedly agree that the Taoiseach has given a considerable amount of time and energy to this matter, as have John Hume and many political leaders, the officials of the Department of the Taoiseach, the Minister for Foreign Affairs and the Minister for Justice. Without a shadow of a doubt, the Taoiseach's genuine view is that we must proceed. However, the Irish people cannot expect us to continue without dealing with the issue of trust. Quite simply, Lord Brooke is correct.

John Hume spoke about paramilitarism not being needed. The issues of paramilitarism and criminality must be dealt with as quickly as possible. The mood of people in Northern Ireland has changed considerably. They have said that they will not tolerate that type of activity. They will be asking their public representatives to reflect on what they see as the way forward and not what is perceived to be the way forward.

I am sure that the Taoiseach would not take umbrage with Arthur Morgan comparing him to a pink poodle. The only thing about the Taoiseach that is pink is his normal tie.

### **Ethnic Minorities and the Garda Síochána**

9. **Mr Jeff Ennis MP** asked the Minister for Agriculture and Food what steps the Irish Government are taking to recruit more officers from ethnic minorities into the Garda Síochána.

**Ms Mary Coughlan TD:** This is quite a long answer, so perhaps it would be better if I circulated it to Jeff Ennis.

In brief, the Garda Síochána will reflect the composition of Irish society as far as possible. The eligibility requirement that entrants should have an educational qualification in the Irish language is under review. That is relevant not only to applicants from different ethnic backgrounds but to any potential applicant who has not been schooled in the Irish education system. However, there may be other matters that could impact on entrants from ethnic communities, including, perhaps, some issues that are not specifically related to entry or eligibility criteria but which might equally need to be addressed.

The Minister for Justice, Equality and Law Reform has, therefore, asked the Garda Commissioner to consult appropriately with representatives of the immigrant community in the context of his review of the eligibility criteria for entry into the force. The review is proceeding apace with a view to identifying any desirable changes to the current arrangements in sufficient time to implement them in advance of the next Garda Síochána recruitment competition.

**Mr Jeff Ennis MP:** I thank the Minister for her very positive response. She has read my mind with regard to my supplementary question, which is about the Irish language eligibility requirement. Does she feel that the policy is still a barrier to potential applicants from ethnic minority backgrounds? There is a defined Nigerian community in Dublin, which has caused several law and order problems in the past. Would it not be better to recruit a number of individuals from such communities on the proviso that they learn Irish as part of their on-the-job training, rather than requiring them to hold a recognised qualification?

**Ms Mary Coughlan TD:** The changes in Irish society are huge, reflected by that fact that there are so many new ethnic communities. Speaking as a woman who is married to a member of the Garda Síochána who serves in Gaeltacht areas, I think that the 7% added on to a salary for speaking Irish may well encourage people from ethnic communities. I agree that it is an important issue.

The Garda Commissioner has set up several working groups to address various issues. These changes in Irish society have taken place over a relatively short time. It is recognised that people from ethnic minorities must be facilitated in the Garda Síochána.

### Agriculture Production and Decoupling

10. **Mr John Ellis TD** asked the Minister for Agriculture and Food what the effect of decoupling will be with regard to agriculture production in Ireland and the UK.

**Ms Mary Coughlan TD:** In the light of the submissions made under the public consultative process and the studies carried out by FAPRI-Ireland, it was decided that all direct payments for cattle, sheep and arable crops would be fully decoupled from production from 1 January 2005. The overwhelming weight of opinion among farmers, as expressed at the information seminars held throughout the country by the Department of Agriculture and Food, was in favour of full decoupling.

Irish farmers are now free to focus more sharply on the market and the demands of the final consumer. That provides a better basis for a competitive agriculture and food industry than a system that required farmers to take farming decisions based on eligibility for premia payments and that imposed a burden of compliance with myriad schemes, involving various application dates, stocking densities and retention periods. A further advantage of full decoupling will be a significant reduction in the level of bureaucracy for farmers and the Department.

Although some reduction in production can be expected under full decoupling, FAPRI-Ireland's research indicated that the resulting price increase and reduced input costs would lead to an increase in farm incomes. Under the new regime, the Irish food industry will be provided with better opportunities to source quality raw material. The better market-orientation of primary production should assist food processors in developing and supplying quality markets. Full decoupling is also expected to have a positive impact on the environment by leading to a substantial reduction in the contribution made by agriculture to greenhouse-gas emissions.

The view of the Department for Environment, Food and Rural Affairs (DEFRA) is that the common agricultural policy (CAP) reform will simplify the application arrangements for subsidy payments by replacing 10

major CAP payment schemes with one new single payment. Farmers will have greater freedom to farm to the demands of the market, as subsidies will be decoupled from production. At the same time, environmentally friendly farming practices will be better acknowledged and rewarded. The implementation of the CAP reform is central to DEFRA's strategy for sustainable farming and food.

**Mr John Ellis TD:** The Minister is probably not aware, but England does not propose to decouple everything. It proposes to make area-based payments in several sectors. There will also be variants in both Wales and Scotland. Will the English, Welsh and Scottish approaches affect the Irish approach? The pig industry was mentioned to us last week: subsidies may be paid in the UK, but there will definitely not be any subsidies paid in Ireland.

**Ms Mary Coughlan TD:** That industry is going through a difficult time, even though the price of pigs is not bad at present. As the Member is aware, full decoupling must take place within a certain period.

On a more positive note, the competition does not necessarily come from the United Kingdom. It comes from a little bit further across the water in Denmark, where production is very efficient. How the Nitrates Directive is implemented, and the effect it will have on the pig and poultry sectors will be the issue, not the impact of premiums and supports.

My view, for what it is worth, is that the farming community has accepted full decoupling. My colleagues in the European Union would find that not having full decoupling is causing them some problems.

**Mr Robert Walter MP:** I wish to clear up one misconception. The United Kingdom is decoupling; it is just that the transitional arrangements differ slightly from the Irish ones. In fact, pig farmers in the UK do not receive any subsidies.

My question concerns the Minister's suggestion of reductions in bureaucracy. Farmers in my constituency complain that, although we are decoupling, under the guise of cross-compliance the amount of paperwork is increasing, and the number of officials employed by DEFRA and its Rural Payments Agency (RPA) is not reducing. In fact, that figure appears to be remaining the same, if not increasing. Can the Minister tell me how many officials she is likely to lose as a result of decoupling?

**Ms Mary Coughlan TD:** Unfortunately, we will lose almost 1,000 people. That will have huge implications, because our Department is regionalised and localised. Therefore it is an issue of concern. As the Member will know, we will have a reduction to 1% inspection, which will mark a huge reduction. At present we are working with the farming bodies on a protocol in order

to ensure that cross-compliance is not a huge burden on either my Department or on the farmer. We are allowing for an issue of mutual respect between the farmers and the departmental representatives. The Member is correct to say that the penalties imposed for not complying are huge — a 100% penalty is a massive loss of income for a farmer. We have looked at that, but, to repeat, we shall be losing 1,000 people as a result of decoupling.

5.30 pm

**The Co-Chairman (Mr Pat Carey TD):** Thank you, Minister. I have an injunction that says that we must finish no later than 5.30 pm. It is now 5.30 pm and 10 seconds, so I thank the Minister for her replies to a wide range of questions. The remaining questions will be circulated and form part of the record of the meeting.

**The Co-Chairman (Mr David Winnick MP):** Minister, it is delightful to see you and to see a former Member of the Body reach such a high position in Irish politics. I hope I did my bit in sending the appropriate note to the Taoiseach. It is very pleasing to see you, and I congratulate you on your appointment. There is no doubt that you are now one of the leading figures in Irish politics; I see you occasionally on the front pages of the newspapers. I hope that your remarks today also make the front pages — they certainly deserve to do so. Thank you very much indeed, Minister, for coming along.

**The Co-Chairman (Mr Pat Carey TD):** I have no doubt that we all concur with those remarks.

I remind Members that Committee D will meet at 9.20 am tomorrow, and Committee C is meeting now in the first floor meeting room.

Finally, before the Minister leaves, I have been asked to perform the pleasant task of —

*[Interruption.]*

**Ms Mary Coughlan TD:** I thought he was going to ask me to marry him; perhaps he was practising for another.

*[Laughter.]*

**The Co-Chairman (Mr Pat Carey TD):** On behalf of the Body, I present the Minister with a small memento.

**Ms Mary Coughlan TD:** Thank you very much.

*[Applause.]*

*The sitting was suspended at 5.32 pm.*



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Tuesday 8 March 2005

*The sitting was resumed at 10.01 am.*

## **BUSINESS REPORTS FROM CHAIRMEN OF COMMITTEES**

**The Co-Chairman (Mr Pat Carey TD):** We begin with the business reports from Committee Chairmen. I remind Chairmen that statements must be brief; they are to be no longer than five minutes. I am sure that statements will be kept to the point. Discussion on the extensive Committee reports will take place later.

### **Report from Committee B (European Affairs)**

**The Shadow Chairman of Committee B (Senator Paschal Mooney):** Thank you, Mr Co-Chairman. I am grateful to you for permitting the report from Committee B to be taken out of sequence. I have pressing parliamentary duties in Dublin to which I must return.

Committee B is gathering evidence on Europe-wide security and foreign policy initiatives and their effect on Irish and British relations in the European Union. Specific reference will be made to the mandate under which the Body operates — the furtherance of east-west relations. Immediately after the last plenary session of the Body in Chepstow, Committee B travelled to Stockholm to further its inquiry into future European security and foreign policy arrangements.

While there, we met officials from the Ministry of Defence and from the Ministry for Foreign Affairs. They briefed the Committee on Sweden's evolving approach to peacekeeping and crisis management. We were also pleased to meet academics in Stockholm working in those areas, while the Irish and British ambassadors met Committee members to discuss their impressions of Sweden.

Attempts to progress the inquiry have been stymied by several cancellations forced on the Committee because of the pressures of parliamentary business on Members on both sides of the Irish Sea. We hope to have made further progress by autumn's plenary session. As a result of the Committee's meetings in London and Stockholm, visits to Dublin, Warsaw and Brussels are envisaged to complete the inquiry.

However, as Members will recall from yesterday, a subcommittee of Committee B has reported on cross-border European funding programmes. Established at the plenary session in Chepstow, the subcommittee has made several visits over recent months. The first meeting in Edinburgh in December, at which the Committee considered the remit and scope of the inquiry, was quickly followed by visits to Brussels and Copenhagen. In Brussels, the Committee took evidence from European

Commission officials and other interested Brussels-based parties. Our visit to Copenhagen allowed us to see at first hand the Øresund project. The project is an impressive example of the strategic use of European funding that has allowed the Danish and Swedish authorities to create a vibrant research-based economic corridor.

### **Report from Committee A (Sovereign Matters)**

**The Shadow Chairman of Committee A (Senator Martin Mansergh):** As reported at our plenary in Chepstow, Committee A visited Belfast last October to meet the Northern Ireland Human Rights Commission. The Committee followed up that visit by going to Dublin in December 2004 to meet the Irish Human Rights Commission, which was also established under the Good Friday Agreement. The president of the Irish Human Rights Commission, Dr Maurice Manning, and commission member Katherine Zappone provided us with a comprehensive overview of the commission's work, as well as current and future objectives.

When first established, the Irish Human Rights Commission drew up a strategic plan to identify priority areas of work and to avoid any overlap with the Equality Authority, with which it has a memorandum of understanding. Committee A was told that the commission's main role lies in scrutinising legislation that has possible human rights implications to ensure its compliance with the Constitution and with international agreements. The commission also briefed us about its relationship with the Northern Ireland Human Rights Commission. The two commissions sit together as a joint committee four to five times a year and, in addition, have established a joint subcommittee on racism that has produced a handbook on eliminating racism for use by non-governmental organisations (NGOs). In general, it was felt that a strong relationship between the commissions was important. The Committee wrapped up its work in that area for the moment at the meeting in Dublin.

We met at lunchtime yesterday and agreed that we would visit Belfast early in October to meet the political parties, the Secretary of State and the Chief Constable to test the water with regard to a revival of the political process. Separate from that, it was felt that the Committee should also look at British legislation that may be passed in the near future concerning identity cards and their implications for the common travel area. We intend to meet the Department of Justice, Equality and Law Reform and the corresponding Department in London to explore those matters further.

### **Report from Committee C (Economic)**

**Mr Harry Barnes MP, on behalf of Committee C:** At its meeting in Chepstow last October, Committee C

decided to commence a new inquiry into the challenges and opportunities facing the small farm sector in Ireland and in Britain.

The aim of the inquiry is to build on the Committee's work in that area while focusing on important recent developments, including EU enlargement and, particularly, common agricultural policy (CAP) reform.

Between 1998 and 2000 the Committee carried out an inquiry into small farms. The new inquiry will consider significant developments since then. Although the original inquiry focused on Ireland, North and South, this inquiry will examine all of Britain.

The inquiry commenced with a series of meetings in Dublin on 21 February. The Committee met the Minister for Agriculture and Food, who addressed the Body yesterday. Committee members also met Brendan Smith TD, a former Co-Chairman of the Body, who is now Minister for State at the Department of Agriculture and Food. They also met Alan Dukes, a former Minister for Agriculture, as well as representatives of the Irish Farmers' Association.

Generally, the meetings were extremely useful, and they afforded an excellent overview of agricultural policies in Ireland. The Committee was particularly interested to hear about the recently published report of the Agri Vision 2015 Committee and the planned introduction of decoupling and the single farm payment.

Last week, the Committee visited London and had a very helpful meeting with Lord Whitty, Minister for Farming, Food and Sustainable Energy. While in London, the Committee also met representatives of the National Farmers' Union and the Small Farms Association.

The Committee will build on the evidence that it gathered on its visits to Dublin and London with a series of field visits in Ireland, Scotland and Wales in the late summer and early autumn. I shall miss out on this, but the Committee also hopes to visit Poland to study the situation of farmers there and to consider implications that the development of the Polish agriculture industry may have on farmers in Ireland and in Britain. The Committee hopes to prepare a report on that in time for presentation at the Body's next plenary session.

### **Report from Committee D (Environmental and Social)**

**The Chairman of Committee D (Mr Kevin McNamara MP):** Committee D met in Edinburgh, Barnsley and Westminster to complete its report on autism. At one time or another, 13 different Committee members participated in that inquiry. Given the pressures on them, they showed considerable interest in it.

Members have copies of Committee D's report, and I shall discuss that with its other report on truth and reconciliation. The Committee decided in its meeting

this morning that it would turn away from environmental and educational matters and consider more social matters. The Committee's next inquiry will deal with sports facilities, with social facilities for young people and with encouraging healthy living. It will consider those matters in the various jurisdictions, as well as examining the problems that small islands face and, in the larger jurisdictions, the differences between urban and rural facilities.

The Committee also recorded its pleasure that former member Donald Gelling has been appointed Chief Minister of the Isle of Man Government. Committee members wish to put on record their appreciation of the tremendous work that he has done for the Committee and of the help that he has given to it, particularly in facilitating visits of our Committee, and other Committees, to the Isle of Man. We wish him well in his new and onerous job.



## PLENARY BUSINESS

### Position of Co-Chairman: Mr David Winnick MP

**The Co-Chairman (Mr Pat Carey TD):** Before I move to the next item of business, Seymour Crawford TD would like to say a few words.

**Mr Seymour Crawford TD:** After Kevin McNamara spoke so ably last night on behalf of the British delegation, I approached the Co-Chairman to ask whether someone from the Irish delegation should say a few words about David Winnick's announcement last night that he will stand down as Co-Chairman of the Body after the next general election.

10.15 am

I first met David through my membership of Committee B, of which he was an excellent Chairman. We were involved in many inquiries, and he kept everyone on their toes and did an excellent job. The reports that those inquiries produced proved his ability and his eagerness to bring together the Irish and Westminster delegations. I add my thanks and those of the Irish delegation to David for his tremendous work, not only as a Committee Chairman but in his role as Co-Chairman of the Body over the past eight years. He has shown great commitment, missing few, if any, meetings. I did not agree with his abstinence from meat and milk, but otherwise we had a great relationship. I thank him and John Hume, Kevin McNamara, Harry Barnes and Willie O'Brien for all their work. Some of them served with me on Committees. The Body has done a great deal to bring the people of our two islands together. To all of them, but especially to David, on my own behalf and on behalf of the Irish delegation I say a sincere thank you. [*Applause.*]

**The Co-Chairman (Mr Pat Carey TD):** Thank you; we all concur with those words.

**The Co-Chairman (Mr David Winnick MP):** Thank you very much, Pat, and thanks to Seymour for his very kind words; they are much appreciated. Whatever contribution I have been able to make in the past eight years, I have been only too pleased to do so. I know that the Body will go from strength to strength as it has for 15 years. In five more years, it will be the Body's twentieth anniversary. Needless to say, in the House of Commons — where I hope I shall still be — I will always be a close friend to the Body.

## REPORT OF COMMITTEE D (ENVIRONMENT AND SOCIAL AFFAIRS): TRUTH AND RECONCILIATION

**The Chairman of Committee D (Mr Kevin McNamara MP):** I beg to move

That the Body takes note of the Report of Committee D on Truth and Reconciliation [Doc. No. 103] and the conclusions and recommendations of the Report should be forwarded to both Governments and to the devolved Administrations for their observations.

The report has somewhat fewer pages than those normally produced by our Committee, but it is nonetheless extremely important and contains three main recommendations.

The question of truth and reconciliation as a help to victims' families has been much discussed, before and since the Good Friday Agreement. Many have pointed to the South African Truth and Reconciliation Commission as an example of something that could be established in these islands to deal with the hurt of victims. That matter must be addressed; the truth should be known so that mourning can, in some way, come to a conclusion — not that people might be forgotten, but that the hurt might be diminished.

The difference with South Africa, however, was that the Truth and Reconciliation Committee was established by the majority population; in Northern Ireland, the request has come mainly from the minority population. We therefore decided to examine what has happened on the question of victims, who were referred to in the Good Friday Agreement as needing attention. The issue was more or less forgotten until the joint declaration of April 2003, in which both Governments accepted that they had not done enough to meet the needs of victims and their families.

The British Government has appointed a Minister for Victims and has spent more than £30 million since that appointment on schemes to help victims' families and to achieve peace and reconciliation.

The Committee recommends that we ask the British and Irish Governments to produce a progress report stating how far they have gone towards meeting victims' needs. The Secretary of State for Northern Ireland, Paul Murphy, went to South Africa to see what could be learned from that country's experiences. He made some observations when he returned, but we have heard little since.

We examined the words of the Chief Constable, who said that action was required to give everyone the opportunity to give their views and to get the best possible explanation of what had happened to their loved ones so that they can get on with their lives. It is interesting that the Chief Constable will today announce the reopening of the files of those who were murdered

and for whose deaths no one has been brought to trial. The sum that was mentioned, although I may have misheard it, was £17 million to be spent over several years. In order not to overburden the PSNI, the Chief Constable will bring in detectives from other police forces in the United Kingdom and possibly, because of a new agreement, from the Garda Síochána to examine the files to see what can be done.

It will be a long, painstaking task. The Chief Constable is not particularly seeking convictions; he is hoping to set the minds of the families at rest, and we very much welcome that. As the Chief Constable pointed out, the exercise is not intended to replace any greater inquiry that might be necessary, nor any new institution that might lead to greater peace and reconciliation. However, it is a contribution. It is interesting that the Police Federation of Northern Ireland is very keen on the exercise, not least because of the casualties that it suffered during the troubles. However, it is not an issue that is specific to the police; it is a matter for everyone who has suffered loss, from whichever community. We therefore recommend the continuation of that effort.

The final point that the Committee makes is on the undertakings that were given at Weston Park to examine the deaths of Robert Hamill, Pat Finucane, Rosemary Nelson, Lord Justice Gibson and others. The British Government gave an undertaking that inquiries would be set up to examine those deaths if a report by Mr Justice Cory so recommended. After Mr Cory's report, the Government immediately announced that they would set up inquiries into the deaths of Rosemary Nelson, Robert Hamill and Billy Wright. However, in the case of Pat Finucane, the Government decided that special legislation would be required to set up an inquiry. On 24 September 2004, the Secretary of State for Northern Ireland made a statement in which he said:

“In order that the inquiry can take place speedily and in a way that takes into account the public interest, including the requirements of national security, it will be necessary to hold the inquiry on the basis of new legislation which will be introduced shortly.”

The House of Lords considered the Bill last week. The Bill, as drafted, would repeal the legislation under which, for example, the Saville tribunal was held. However, both the Public Administration Committee of the Commons and the Joint Committee on Human Rights have expressed concerns about the Bill.

Concerns were expressed about how far the Bill would go in meeting the demands of article 2 of the European Convention on Human Rights, namely the duty of the state to protect the right to life. Part of that duty is to provide for effective investigations into the causes of death.

The Bill gives the Minister considerable powers to set terms of reference; to appoint the head of the inquiry; to state the amount of money that will be available; to

decide what evidence should or should not be heard, and whether that evidence should be heard in public or in private; and to decide whether to foreclose the inquiry if the Minister does not like how it is proceeding. That is scarcely the type of independent inquiry envisaged by article 2 of the European Convention on Human Rights and, indeed, by decisions of the European Court of Human Rights on effective inquiries.

The House of Lords has introduced several amendments to the Bill, which will come before the Commons next week when it will be debated in more detail. There are many concerns about the Bill, and — although one can appreciate the Government's concern about the length of the Saville inquiry and its expense — the degree to which there would be a lack of independence by the judiciary in future inquiries is of concern. Lord Saville recently wrote to the Minister expressing his concern that, under the present terms of the Bill, he did not believe that he would be able to chair any future inquiries. I do not know whether he was speaking for the whole of the judiciary, but he is the most prominent Law Lord who is holding an inquiry at present, and what he said was important.

Thirdly, the Committee:

“urges the British Government: to fulfil its Weston Park commitments; to involve and seek to gain the confidence of the Finucane family by establishing without further delay a fully independent public Inquiry into all the circumstances of the death of Patrick Finucane and to ensure that such an Inquiry be in complete control of its own practices and procedures, decision-making and conclusions.”

Those are the three recommendations of the Committee. It is rather a short report, but an important one.

**Ms Cecilia Keaveney TD:** I am not a member of the Committee, but it addressed an important issue. Is the past too horrible to face or do we have to deal with the past before we can move forward? The McCartney case is a clear example that the past and the present must be dealt with before we can move on. Achieving truth and reconciliation is important in gaining closure.

I welcome what Kevin McNamara said about reopening old cases. Some names crop up regularly, and rightly so. However, other names, such as those of Seán Brown, who was killed in Bellaghy, and Patsy Gillespie, who was strapped into his van, which was exploded by remote control at a border checkpoint, do not crop up as often. Their families deserve closure as well.

There are more questions than answers. Recently, there have been more tribunals than answers or closure. Tribunals can be lengthy and can cost a great deal of money; but there must be an effective way of bringing people and information together. I met some of those involved in the Truth and Reconciliation Commission in South Africa, and they acknowledged that they had made mistakes. However, they told me how they had moved forward. They felt that having

victims and perpetrators face one another was important, although very difficult. That interaction helped some victims to cope, but it left others unable to cope with the answers that they were given. Nevertheless, it was another step forward. I commend the Committee for addressing this issue. Go raibh maith agat.

**Mr Kevin Brennan MP:** I too commend the Committee for investigating this issue and congratulate it on its report. Kevin McNamara should not apologise for its brevity; that is always welcome. The report gets right to the heart of the matter. In some ways this is a half-forgotten aspect of the peace process because other issues have taken prominence. There is a Minister for Victims in the Northern Ireland team; yet that is not widely known in the House of Commons, a fact that is often apparent during Northern Ireland Question Time.

10.30 am

As Kevin said, the circumstances in South Africa differ from those in Northern Ireland; nevertheless, there is much to be learnt from that experience. As an Associate Member, I am not sure whether anyone from South Africa has ever addressed the Body, but it would be an enlightening and interesting addition to our proceedings.

I welcome today's announcement by the PSNI. However, the figure of £17 million that is needed to investigate these cases is a drop in the ocean compared to the resources devoted to the Saville inquiry. I diverge a little from the Committee's position on inquiries. Paragraph 14 of the Committee's report cites the Joint Committee on Human Rights, which says that any inquiry should:

"be independent; be capable of leading to an identification and punishment of those responsible; be prompt; be open and transparent; and must involve the family of the deceased."

There should not be an open-ended commitment to funding an inquiry that will not necessarily do much better than another form of inquiry might in establishing the truth — which is the purpose of an inquiry.

The Public Administration Select Committee, which is mentioned in the report and of which I am a former member, initiated the discussion — not just on the Finucane case, but on Government inquiries in general. When I was a member of it, the Public Administration Select Committee tried to establish whether it was possible to move beyond the situation where everyone who wants an inquiry wants it to be held under the Tribunals of Inquiry (Evidence) Act 1921. That Act provides for a form of inquiry, the duration and expenses of which, as well as the resources devoted to it, may prove impossible to control — as was the case in the Bloody Sunday inquiry. It can lead to large numbers of the legal profession establishing their pension fund

through one inquiry. People in wigs and gowns have become very rich as a result of that inquiry.

The Saville inquiry was entirely the right thing to do at that stage of the peace process, but in the long run it is not possible to hold such an inquiry into every case. A form of inquiry should be established that satisfies the criteria of the Joint Committee on Human Rights, which were that it should:

"be independent; be capable of leading to identification and"

— if that is the intention, be capable of leading to the —

"punishment of those responsible; be prompt; be open and transparent; and must involve the family of the deceased."

It should also be capable of being controlled. That does not mean political interference in the process and its outcome; it means that there needs to be a mechanism to rein in what may become a judicial jamboree.

I wish to add that note of caution. I accept that there may be flaws in the Inquiries Bill, and no doubt there will be amendments to it. However, the motivation behind it is not sinister, but sensible.

**Mr Seymour Crawford TD:** I commend the Chairman, Kevin McNamara, and the Committee on this interesting report. Some years ago, I would have been totally against such action, but I now realise that those affected by the Dublin and Monaghan bombings, especially those in Monaghan, place great importance on the inquiry and on truth building.

There was also the case of Senator Billy Fox, a Member of the Oireachtas, who was murdered in his fiancé's house. The former Minister and Tánaiste, Mr Wilson, was head of that investigation, but so far it has revealed no answers. The Coulson family have been through a great deal. Audrey Coulson has since died from cancer, which was related to the trauma, but the family still feel aggrieved that the murder has never been solved. It is only when one becomes directly involved with the families that one realises the importance of getting to the bottom of things and uncovering the truth.

I support the Committee's findings. We all like things to be done as cheaply as possible; however, as you know, Chairman, we have encountered problems in the Oireachtas, as it can prove impossible to force witnesses to appear before Committees. There are legal difficulties. It can be very difficult to get to the bottom of matters without a proper structure in place to oblige witnesses to give evidence. I support the Committee in its work.

**Mr Harry Barnes MP:** I commend Committee D on its report. It has opened a very valuable door that the Body may decide to go through in future. At one time, there was sensitivity about discussing problems of truth and reconciliation, because it was raking over some very delicate coals from the past that could have

affected the development of the peace process. However, moving forward has now become a significant possibility.

The Northern Ireland Affairs Select Committee has been involved in two investigations, one of which is ongoing. In 2000, Lord Brooke was Chairman of a Commons Committee that produced a report on paramilitary intimidation and on people being exiled by paramilitary groups and the problems that arose from that. That inquiry included a visit to South Africa and an investigation into truth and reconciliation developments there. It has been pointed out that there are many differences between South Africa and Northern Ireland: there are many similarities too; but it is a different situation. Some of those issues are tackled in that report, and they can be fruitfully revisited.

Michael Mates is Chairman of the Northern Ireland Affairs Select Committee, which is investigating those issues. As Members of the Body are deeply involved in these matters from the United Kingdom end, perhaps we can draw on their experiences to enable us to develop these matters through special provisions or through an overall arrangement.

That should remain on the agenda, either through the work of Committee D or through the Steering Committee paying special attention to these matters. The subject may be fruitful enough for full debate under a motion tabled by the Steering Committee or, as Kevin Brennan suggested, there could be a discussion with South Africans about their experience. The aim of such a discussion would be to determine the differences between the situations and to use the South African experience to assist us in moving in the appropriate direction.

**Senator Martin Mansergh:** I commend Committee D and its Chairman, Kevin McNamara, on a very good report. I accept and endorse his point that despite being short, the report's recommendations are substantial.

The Committee recommends that the British and Irish Governments provide a progress report on the implementation of aspects of the joint declaration, particularly on the establishment of a victims' and survivors' forum. Several initiatives have been taken. A victims' and survivors' forum would have something to recommend it if more ambitious initiatives are not possible. At least it would allow people to explain their pain and difficulties. However, the drawback is that it would not provide for much in the way of a response.

With regard to a truth and reconciliation forum, the South African situation was different in that there was a clear political outcome. The agents of the apartheid regime were willing to admit their wrongs in return for an amnesty, and the victorious African National Congress (ANC) was willing to admit that some of its actions in the liberation struggle had been wrong — even criminal. However, there are varying views on how effective the process was even in those circumstances.

If I believed that governments and their agents and paramilitary organisations were prepared to come clean, put their cards on the table and explain what had happened in particular instances, there would be some benefit in a truth and reconciliation forum. However, none of them seem to have any disposition to co-operate in the manner necessary to make a truth and reconciliation forum successful. If those involved in certain illegal acts — whether the state or the paramilitaries — are not prepared to co-operate and if they hide behind anonymity and secrecy, it is difficult to see how a truth and reconciliation forum could work. It would just lead to greater frustration. However, the recommendation to encourage further discussion in order to identify ways round obstacles and what co-operation might be forthcoming is worthwhile.

Finally, I share Kevin McNamara's dissatisfaction with how the Finucane case has been handled.

It is every bit as reprehensible for agents and representatives of the state to intimidate lawyers because of whom they represent, intimidation followed some time later by assassination, as it is for witnesses in the McCartney case to be intimidated so that they will not come forward. The British state knows that this is a can of worms, and it is reluctant to come to grips with it fully — hence all the safeguards that are built in. That is very regrettable from the point of view of giving people confidence in the process of law.

10.45 am

In the past few months we have been calling a spade a spade vis-à-vis paramilitaries on all sides. The same approach should be adopted where necessary to the state. In Spain, the investigating judge Baltasar Garzón, who dealt with the dirty war involving ETA agents — who are certainly no angels — put Ministers in prison because they had authorised illegal acts. He moved with equal vigour against ETA and its political party. There is a great deal to be said for using impartial vigour against anyone who breaches the rule of law, no matter who they may be.

**Mr Andrew Mackinlay MP:** I wish to draw Members' attention to two matters. First, when I was in Dublin two weeks ago, by coincidence the Government published the Report of the Independent Commission of Inquiry into the Dublin Bombings of 1972 and 1973 — the Barron Report. Regrettably, and to some embarrassment, as far as I am aware it did not even register on the radar in London — neither politically nor in the press or media. I have given an undertaking to ask some questions about the matter. Perhaps the Body should press the United Kingdom Government for a response. Others will be doing so, but London should not allow the issue to drift.

Secondly, although I fully understand and totally agree with Senator Mansergh's comments about the

Finucane case and the implication that some United Kingdom agencies were deeply involved in that killing, one must also say that time and time again — in the absence of the Democratic Unionist Party or other Unionists, for whom I do not speak, but whom we should acknowledge — it is seen as one-way traffic. There have been what those parties deem to be equivalent atrocities and unsolved crimes.

The La Mon House Hotel bombing is one such atrocity. Although it has never been implied that British authorities were involved, it is frustrating and disappointing that the crime has never been brought to a resolution through prosecutions or arrests. That still rankles with those in the Unionist tradition, and with the DUP in particular. It is manifest that we must be sensitive to that.

Although there is a difference in some respects between that case and the Finucane case because of the assumption that people and agencies involved were in the pay of the United Kingdom Government it is also important that the other side in this 25-year-old conflict receive some recognition of events that have caused them enormous pain and frustration.

The La Mon House Hotel bombing is probably the biggest unresolved matter, and if there were a move forward or some demonstration of parity of treatment, I would hope that the PSNI or others would pick up on it.

**Mr Jim Glennon TD:** Of necessity — and probably appropriately, given that the report is so brief — my winding-up speech will be brief, not least in light of the various sporting metaphors used during yesterday's debates. On looking round the pitch, I see an imbalance in the sides. Certainly, the stamina of the host side could be called into question with regard to going the full 90 minutes. Cecilia has just been in the sin bin, but has returned.

There were some very interesting contributions, and the report, albeit brief, is important. Everyone has acknowledged that. While listening to the contributions, it struck me that there was a common thread of frustration at the lack of closure on some issues. That goes to the heart of the report.

I was interested in Kevin Brennan's reference to the potential for a "judicial jamboree". That is a lovely phrase that can bear repetition. We have experienced such extravaganzas in the Republic over the past few years, and the associated costs have been heavily criticised. The need for what others have referred to as an expensive "fancy dress party" in order to arrive at appropriate conclusions is frustrating. However, I got the clear impression from all the contributions that we must do whatever is necessary. Closure is definitely required, and although the South African model is relevant, it is by no means totally appropriate. The issue deserves hard work, serious attention and closure.

In conclusion, I pay tribute — yet again — to our Chairman, Kevin McNamara. It is his final shot with the Body, which he has served with such distinction, so it is appropriate that we are dealing with an issue that, we hope, sees the end of a cycle in the history of this island. Kevin has played a huge role in making significant progress in that area over the past 30 years. As mentioned yesterday, he was one of the first people to raise the Northern Ireland civil rights issue in the UK. It is entirely appropriate that Kevin's report has been brought to the Body to initiate the closure process. Go raibh maith agat.

*Question put and agreed to.*

*Resolved:*

That the Body takes note of the Report of Committee D on Truth and Reconciliation [Doc. No. 103] and the conclusions and recommendations of the Report should be forwarded to both Governments and to the devolved Administrations for their observations.

## NINTH ANNUAL REPORT

**The Co-Chairman (Mr David Winnick MP):** I beg to move

That the Body takes note of the Ninth Annual Report of the Body [Doc. No.104].

As is to be expected, most of the report is purely factual. It is a report on the Body's activities over the past 12 months. I shall refer to two points in particular. Item 4 on the Programme of Business deals with a proposed amendment to rules; I doubt whether it will be controversial. The change will permit the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly — when no longer suspended — to have a permanent representative on the Steering Committee instead of having representatives by rotation.

That is all part and parcel of our policy of bedding down, if that is the right expression, devolution and of consolidating what we agreed two or three years ago: that the devolved institutions would be represented on the Body as equals. I remember saying that there is no question of first- and second-class membership on the Body, and I think that we have proved that.

The British-Irish Council is reluctant to accept our request for observer status at its meetings. Paragraph 29 of the report mentions the correspondence on the matter, but our request has now been refused. That decision was taken at the top political level. The British-Irish Council's communiqué [Doc No 109] lists all the issues that were discussed. I do not intend to be sarcastic when I say that they are matter-of-fact issues: drugs, the environment, the knowledge economy, transport — issues that are constantly debated in our two sovereign Parliaments and in the devolved institutions.

The question therefore arises: why on earth should the political leaders of the two sovereign Governments — and of the devolved institutions, for all I know — be so reluctant to give the Body, which has representatives from the Dáil, the House of Commons and the devolved institutions, the opportunity of being present? If more sensitive issues are debated at the Council's meetings, terrorism, for example, which are for the ears of Ministers only, that is fair enough. Local authorities have dividing lines on the discussion of certain issues, below which the public is excluded; we could be excluded in that way.

In my closing stages as a Co-Chairman, I do feel that we are not being treated properly and that the Ministers involved are not showing the respect that should be due to parliamentarians. I assume that the refusal has come from the most senior level of the sovereign Parliaments; I cannot imagine that Ministers from the devolved institutions would be so strict about the matter. I see no reason why we should not press very hard to send a deputation to the Prime Minister and the Taoiseach, jointly or otherwise.

Parliamentary accountability is mentioned in the Good Friday Agreement. However, there is at present no parliamentary accountability whatsoever on what Ministers do, be it on the British-Irish Council, the North/South Ministerial Council or other bodies. We should press accordingly.

**Mr Iain Smith MSP:** I would also like to thank David Winnick for his work as Co-Chairman and for the manner in which he welcomed Members from the devolved institutions to the Body. His comments about our being pro-participating Members are appreciated. I also appreciate the role that he has taken as a Co-Chairman to ensure that that has happened.

I fully support his comments about the British-Irish Council; I cannot understand the Council's attitude on the matter.

That is a matter that we can pursue in our respective institutions.

*11.00 am*

Scottish Members can question their respective Ministers; I am sure that Welsh Members will be happy to do likewise in the National Assembly for Wales, and that British and Irish Members will do the same in their respective Parliaments. Perhaps that is another way to proceed, as well as sending a direct deputation from the Body to the British-Irish Council. I shall certainly discuss with my colleagues in the Scottish delegation how best we can challenge and question Jack McConnell, the First Minister of Scotland, on why the British-Irish Council seems to be reluctant to allow the Body to carry out effective parliamentary scrutiny of its work. As has rightly been said, it is clear from the agenda that there is nothing in communiqué 109 with which the Body should not be involved or concerned. I fully support the Co-Chairman's comments on the matter.

**Senator Martin Mansergh:** I wish to make two points. As we know, Taoisigh have attended meetings of the Body from time to time. I doubt whether it is practical to expect them to attend every meeting. I am not sure whether the British Prime Minister has yet attended a British-Irish Inter-Parliamentary Body meeting. I think not. It is desirable that that would happen from time to time, but it is not realistic to expect that it would happen on every occasion.

On the point raised by Harry Barnes, this is the 250<sup>th</sup> anniversary of the death of Montesquieu, who promulgated the separation of powers. I have attended one or two British-Irish Council meetings, and I cannot see any practical problems, but I can see plenty of ideological and constitutional ones. For example, there are no European Parliament observers at Council of Ministers meetings, even though there would probably be little or no practical reason for not doing that, most of the

time. An additional difficulty is that the Unionist parties still have difficulty with the Body, whereas they participated in the British-Irish Council when the Executive was up and running. I am sceptical about how much progress can be made on this matter, even though I accept that the consequences or disadvantages would be virtually nil.

**The Co-Chairman (Mr Pat Carey TD):**

Nonetheless, the matter could be taken up by the Steering Committee at its July meeting to see whether there is a way forward.

**Mr Andrew Mackinlay MP:** May I ask for clarification on one point, Mr Co-Chairman. I might have misunderstood, but can you assure me that there are no immediate plans to alter the format of our plenaries? Part of the report implied that one plenary would be, more or less, in the present format, but that we would not follow that format in the subsequent plenary. Have I misunderstood that or dreamt it up? It would be premature to alter the format. We must look at the conduct of our business, but can I be assured that there is no intention to alter the game plan?

**The Co-Chairman (Mr Pat Carey TD):** My Co-Chairman will address that point in his reply.

**The Co-Chairman (Mr David Winnick MP):** I accept Martin's point about the possible constitutional difficulties with our having observer status; however, I hope that we shall press the matter because I see no reason for not having some form of parliamentary accountability. It is up to the Body, through the Steering Committee, whether it wishes to pursue that.

As for the Prime Minister not attending our meetings — another point raised by Martin Mansergh — we have tried.

I am not sure how many times the Taoiseach has attended, but it is certainly more than once. I have written to the Prime Minister when the plenary has been held in the United Kingdom, but a response has not been forthcoming.

I do not wish to be seen as the Prime Minister's apologist, and he would be surprised if I did, but I simply say that, like the Taoiseach — perhaps even more so because of the United Kingdom's size — Downing Street receives, as Members can imagine, invitations every day, and some of the causes are better than others. I suppose the Prime Minister's attitude is that if the plenary is held in the United Kingdom, a very capable Secretary of State will speak to us. That is not quite what we want, and there is no reason for not continuing to press the Prime Minister of the day. However, it will be difficult to get him to attend, and I do not hold out much hope.

**Mr Kevin McNamara MP:** It will all be different under Gordon.

**The Co-Chairman (Mr David Winnick MP):** Yes; I am sure it will be the first entry in his diary.

Certain changes have been made to the plenary. In the past couple of years we have had different debates from those that we had normally. For example, the devolved institutions now choose a topic of their own for debate. Before 2003, the agenda was always so rigid that one knew only too well what would be discussed. Therefore we have introduced some flexibility, and I hope that that will continue.

When the Northern Ireland Assembly and its Executive are back in action there is bound to be less emphasis on Northern Irish matters. The more the peace process is consolidated, the less need there will be for Northern Ireland to dominate our proceedings. In conclusion, we should never forget that the Body was not set up because of Northern Ireland. I agree that by the very nature of the political situation it arose, to some extent, from the difficulties in Northern Ireland; but it is the British-Irish Inter-Parliamentary Body — a Body made up of two sovereign Parliaments, and now comprising the devolved institutions, including, of course, the Northern Ireland Assembly when it is up and running. It does not, however, exist exclusively, or indeed anywhere near exclusively, because of the problems in Northern Ireland. As I say, when the peace process is more consolidated we shall inevitably deal much more with east-west issues and with all the other matters that arise in political life between Britain and Ireland. That is how it should be.

*Question put and agreed to.*

*Resolved:*

That the Body takes note of the Ninth Annual Report of the Body [Doc. No. 104].

## PROPOSED AMENDMENT TO RULES

**The Co-Chairman (Mr Pat Carey TD):** Before we take a coffee break, we shall move to the next item. It concerns an amendment to the rules; I do not think that it contains anything controversial.

I beg to move

That the amendment to Rule 8(a) (Membership of Steering Committee [Doc. No. 105]) be made with immediate effect.

The purpose of the proposed change is to ensure that the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly, when functioning, will each have permanent representation on the Steering Committee, as the Steering Committee agreed at its meeting in December. The Channel Islands are happy with the arrangements. Are there any comments on the proposed change?

*Question put and agreed to.*

*Resolved:*

That the amendment to Rule 8(a) (Membership of Steering Committee [Doc. No. 105]) be made with immediate effect.

*The sitting was suspended at 11.09 am.*

*The sitting was resumed at 11.29 am.*

## REPORT OF COMMITTEE D (ENVIRONMENT AND SOCIAL AFFAIRS): SPECIAL NEEDS EDUCATIONAL PROVISION IN BRITAIN AND IRELAND, WITH SPECIAL REFERENCE TO AUTISM

**The Chairman of Committee D (Mr Kevin McNamara MP):** I beg to move

That the Body takes note of the Report of Committee D on special needs educational provision in Britain and Ireland, with special reference to autism [Doc No 106] and the conclusions and recommendations of the Report should be forwarded to both Governments and to the devolved Administrations for their observations.

When Committee D was conducting its inquiries, a policy decision was made to embrace not only the two sovereign Governments but the devolved Administrations and jurisdictions represented on the Body. The report reflects that policy.

There are references in it to the Republic of Ireland, England, Wales, Scotland and the Channel Islands.

The Committee wanted to examine special needs educational provision, which members agreed was a good idea. However, we quickly realised the magnitude of the task. Within that framework we decided to concentrate on autism. We could have concentrated on physical disabilities from which, sadly, children and young people suffer. Instead, we decided to examine autism.

In particular, I would like to mention the considerable help that we received not only from the various jurisdictions — Scotland, Wales, Northern Ireland, the Channel Islands and England — but from Members representing those areas, who ensured that their Departments and local authorities gave us the fullest co-operation and help. We are indebted to those Members and to the relevant authorities.

*11.30 am*

Members owe a debt of gratitude to Audrey Nelson, a House of Lords Clerk who services Committee D. She is outstanding. Her work on the report was interrupted first by jury service and then by a heavy flu. Perhaps the flu was a punishment from her jury service; that would seem to be a unique form of house arrest. *[Laughter.]* Nevertheless, she managed to produce a fine report. Committee members are indebted to her tremendous ability to produce a succinct and precise digest of the information available on the subject.

The report is divided into five parts — two parts more than Caesar's division of Gaul. The first section



deals with organisational differences; the second covers training; the third outlines the Committee's concerns; the fourth contains the Committee's recommendations; and, finally, there are reports on good practice.

As with other disabilities, there are conflicting opinions about the treatment of autism. Some prefer an all-inclusive education system that makes provision for those with disabilities in a normal school; at the other extreme, some prefer educational establishments devoted solely to a particular disability. We met proponents of both extremes and an entire range of variations in between. It is a problem that excites strong emotion and which puts huge strains on families. We can see an example of that in an article on the front page of today's 'Irish Times' that deals with the problems of the O'Hara family. The issue creates not only expense problems for local education authorities but also physical, personnel and resource problems.

We saw in the course of our inquiry the emergence in the Republic, in Scotland, in Wales — where an inquiry is at the halfway stage — and in Guernsey, of steps to reassess the approach to children with special educational needs. That is a very welcome development.

For example, under new legislation Scotland has turned away from thinking along the lines of special educational needs and of ghettoising certain children. Instead, it has tried to change its tenor and approach; the talk is now of "co-ordinated support plans" for children who have particular disabilities and difficulties.

There was a comprehensive review in the Republic of Ireland, and legislation has been introduced. Again, the tensions to which I referred earlier were evident in reports made to Committee D and in the attitude towards the changing nature of the provision of special schools in the Republic that deal with those problems.

All the matters that we considered in our inquiry were important in their own ways, but one struck me as particularly important: the absolute dedication of the teachers in the classroom who deal with, in some cases, very difficult children. Those children are, sadly, prone to fits, to great excitement and to physical action to try to vent their frustrations; some suffer from such enormous disabilities that they need to be massaged and require constant, direct attention. The teachers and the support staff do a fantastic job in dealing with their pupils.

However, out of that came also a sense of frustration. The fact is that, with the possible exception of St Patrick's College of Education in Dublin, where training is provided based on work done at the University of Birmingham, none of our universities offer specific training for teachers to handle children with special educational needs. There are modules in some courses, and there is postgraduate and in-service training; however, not one major university or institution in these islands has specific, specialised courses at degree level in

those fields. Although the universities have autonomy and local authorities make their own demands, the Committee felt that it is something to which education departments should have an eye. It is a gap that must be filled.

The Committee also felt that not enough is being done to improve early diagnosis in the discovery of some disabilities. Professionals have moved away from that because many children were falsely diagnosed as dyslexic at an early age, and professionals are worried about doing that in other disabilities. In the United Kingdom the development of the Sure Start schemes in our constituencies enable health and education professionals to identify at a much earlier age children who may have disabilities. They can therefore prepare the primary schools for the arrival of such children so that provision can be made at the start of their school career and can be carried on throughout.

We also felt that primary school children who did not have extreme disabilities that manifested themselves in disruptive physical behaviour might not have been recognised and diagnosed as quickly as those who cause problems in the staff room — sorry, classroom. Teachers are always causing problems in the staff room. *[Laughter.]* I remember that I used to be the most disruptive teacher there was.

In such circumstances, many disabilities might not be diagnosed until the children come to the end of their time in primary school or when they arrive at secondary school. There must be a closer examination of why some children do not develop as quickly in the classroom as their peers. In some cases the child might have dyslexia or autism, which has not been observed because the child has not been disruptive.

We were also concerned about what happens to pupils after they leave school at the age of 16 and enter society. We were concerned about their training and employment opportunities, where appropriate, but also about the provision of housing and care for those who cannot enter the labour market. We felt that that should be attended to.

We also felt that once a child has been diagnosed with a disability, a key worker should be appointed to liaise with the family and with the child. That worker should be independent of bureaucracy so that their duty is to the child and to the parents rather than to the local authority. Such a key worker would be able to argue for the child and for the family in difficult circumstances when bureaucracy might lack sensitivity to the child and to the issue of disability.

Part of the insensitivity that we found — perhaps "insensitivity" is too harsh — but part of the problem that we found was the great demands made on the finances of a local authority once a child has been fully stated. It costs five or six times more to send a

child to a special school than it would to send him to Eton, and such cost considerations affect local authorities' judgements. Therefore sometimes a statement about a child will not specifically set out a course of treatment or a plan of action, but will say that the child's position must be "kept under review" or "kept subject to further attention" so that huge sums of money will not have to be paid to look after a child.

We also found that in certain local education authorities the number of children that a primary school might present for the attention of an educational psychologist would be limited. Therefore if a child is lucky, he or she will learn. We also felt that there was in some ways too adversarial an attitude to what was going on: the family against the school and the local authority, the school against the local authority and the family, the local authority against both of them.

It would be far better to get away from an adversarial manner of proceeding in order to work for reconciliation and to bring the agencies together to achieve something that is good for the child.

11.45 am

When, in the last resort, a case came to no agreement and had to go to a tribunal, the Committee came across a strange anomaly: if a child who is presented by his or her school as having special educational needs but who has been turned down by the local authority, the school cannot appeal that decision. However, if an individual family brings a case, it can appeal the local authority's decision.

Various class disadvantages became apparent. The Committee discovered that parents who were relatively well-off could shout the loudest, get the best legal advice and get the best treatment for their children. I do not criticise them for that: parents have a duty to do their best for their children. However, other cases that were equally or even more deserving often did not get proper attention. The provision of proper legal aid for such cases should be considered.

I could go on at greater length, Mr Co-Chairman; however, I merely wanted to show that there has been a sea change in Governments' attitudes to the issue. That is epitomised by legislation in Scotland and in the Republic of Ireland, which has built upon legislation in the United Kingdom and which has learnt from the United Kingdom's errors — albeit not deliberate errors — and from our experience. That is a good example of the various jurisdictions learning from one another's problems and experiences and being able to exchange good practice.

Finally, I hope that the report commends itself to the Body. I finish as I started by paying again a particular compliment to the teachers who are involved in the difficult area of special educational needs and with the

Committee's commendation of the bravery and courage shown by the families involved. Thank you, Mr Co-Chairman.

**Mrs Margaret Ewing MSP:** I commend the report. It has collated a great deal of information and condensed it in an eminently readable way; it is full of excellent ideas.

I speak as Deputy Convenor of the Scottish Parliament's cross-party group on autism. Members of all the parties in the Scottish Parliament come together with specialists in the field of autism. The group seeks to have informed debate on questions that arise in its meetings. During the course of the Education (Additional Support for Learning) Bill (Scotland), to which Kevin referred in his opening remarks, the cross-party group tabled a series of amendments that were aimed specifically at autism.

I hold a diploma in teaching children with special needs. I embarked on that course while I was teaching in a secondary school, after discovering that many of the children in front of me did not comprehend anything that was going on around them. I had left the post-graduate element of my career believing that all children were willing to learn and would sit like little sponges absorbing every drop of knowledge that was poured in their direction. However, it was depressing to discover that children of 11 and 12 could not write their own names.

The terminology for special educational needs keeps changing. When I first became involved, children were referred to as "educationally sub-normal". In Scotland, teaching such children became known as "remedial education"; then as teaching children with "special educational needs". It is now called "additional support". There is a rainbow of definitions, but we must always remember that these are special needs, whatever they may be called. It is the same problem that has existed for a long time, and it must be dealt with in a way that befits a modern society where pressures on children are even greater than they were when I was teaching.

Kevin referred to Scottish legislation — the "Scotland Act" means something slightly different to Scottish parliamentarians — and one of the autism group's reservations about additional support was that children diagnosed with mild learning needs might just fall off the edge. If the problems of those children were treated with special help at an early age — perhaps when the child is as young as six months — they could be eradicated. There is always a danger in any legislation that people will be left on the boundaries. We must never lose track of that and must always seek to enhance our legislation to ensure that that does not happen.

I welcome the emphasis in the report on teacher training. Most teachers, by the nature of their job, rarely experience learning difficulties themselves as they go through their various courses leading to qualifications.

Adequate in-service training should be provided in teacher training colleges for pre-graduates as well as for those who are already teaching, particularly in the early years category. The more I learned about special educational needs, the more I wished that I had seen a child when he or she was five. The earlier that we catch the problems the more likely we are to solve them.

If we are to continue mainstreaming, class size is very important. We must recognise that an individual learning programme means exactly that for each child — it should be tailored to his or her needs. What works for one child will not necessarily work for another. Skilled teachers must be able to work in an environment in which they can provide individual attention. There is no blueprint for teachers to tell them how to remedy a problem. There must be flexibility, and the size of the classes is important.

The issue of special schools is difficult, because nobody wants to categorise people and put them into what many people still view as institutions, with all the implications of that. However, special schools should not be taken out of the picture altogether. In my own experience, a boy came from a middle-class background; he was well cared for; his parents were totally co-operative; they met me every month and took additional work to help him; but he did not make progress because he needed full-time individual attention.

Special schools have a role to play, and part of our work as politicians is to try to remove the stigma and enter into a dialogue with schools, local authorities, educational psychologists and others to ensure that special schools are regarded as special — we should not wash our hands of the problem.

Those are personal views. I am delighted with the report and I thank the Committee and its staff for producing it. I will take it back to my colleagues in the cross-party group because we still have much to learn and some of it is contained in this document.

**Ms Cecilia Keaveney TD:** I commend the Committee on its report. I know that we are supposed only to be noting the report. I do not know whether it is appropriate to submit amendments or suggestions in the light of what Margaret Ewing said about support for early years education.

I had a very brief career as a teacher, and just before I qualified I was sent on teaching practice to a special support unit to cover a class of 10- and 11-year-olds. They were using computers and were being asked to spell “cat” and “dog”. If they pressed the wrong letter the computer would tell them, for example, that “cat” does not start with a “k”.

As Margaret said, by the nature of our job we teachers go through the system and pass the exams; however, sometimes it takes a rude awakening to make

people realise where special needs start — that cannot be overemphasised.

I have two issues to discuss. However, it is worth mentioning that this week there was a contribution to the debate about the causes of autism. In Ireland many people seem to think that there is a correlation between the three-in-one injection and the development of autism. The Japanese issued a report this week to say that they had moved away from the three-in-one jab to individual injections, but they have concluded that their autism rates have not declined. That seems to be further proof that the three-in-one injection is not the cause of autism.

In my area Scoil Íosagáin in Buncrana is one of the best examples of how a school can embrace special needs. It started off as an ordinary primary school with a class for those with moderate mental handicap. It moved from there to having one class for children with profound mental handicap and two for children with mild mental handicap; now it has three classes for autistic children. Of the 28 classes in the school, nine cater for special needs, from very serious to very mild. There are 614 pupils, but they are all on one campus. If any further work were to be done, it would be worth going there to see the range of children that are dealt with.

It is exactly as Kevin said: people must work together. At Scoil Íosagáin, instead of parents going to a tribunal to demand their rights — which would not have delivered anything because if there are no speech therapists or professional staff no judge can change the situation unless the parents are prepared to take the child across the sea to get what is needed — the parents have worked with the system.

The school principal has been exceptional, and the Departments have been cajoled, begged and forced into dealing properly with the children’s needs. They now have a properly kitted-out bus to take the children to school. We got a great kick out of launching the bus service in January. The children were supposed to stand, perfectly lined up, for a photograph of us cutting the ribbon; but they would not do that; they wanted to get into the bus. Then they wanted to go for a drive, and we could not get them out of the bus until they got a run-around in it. It was a wonderful experience to see the kick they got out of something so simple, but which has changed their learning curve because they can now go on trips as a class and experience learning outside the four walls of the school.

It is not the only place where things are going well; although not everywhere in Ireland has great autism services. Nevertheless, success should be promoted. Parents look to the future; they wonder what will happen to their four- to 11-year-olds when they reach 12 and 18. The school lets the children stay on until they are 18 if they want, and parents are looking at the

choice of proper secondary school as well as at the services available. They work in co-operation with the educational services, although more services should be in place. Because of their approach and dedication and because they are prepared to put in the hard work, everybody sees them as a deserving cause. That sounds patronising, but people are prepared to row the boat with them because they are pushing it out themselves.

The recommendations are good, but the need for interdepartmental interaction on health, education and housing must be stressed. Unless it is spelt out it does not happen — not in Ireland anyway. Those in education say that a matter has nothing to do with them, that it is the responsibility of the Department of Health and Children; and the Department of Health and Children say that it is not its responsibility but that of the Department of Education and Science. Likewise, another Department will say that it is not its responsibility because it is in charge of housing. It is a case of never the twain shall meet. Therefore a recommendation for more interdepartmental interaction would be beneficial.

#### 12.00

There is one other thing that annoys me. I come from a warped background — a musical background. Music is the core for language development and rhythmic co-ordination, because language is rhythm. If children learn the concept of rhythm when they are very young the chances are that their speech will develop better. It will not solve all the special needs problems in the world, but let us consider the amount of music therapy that is employed — sometimes as a last resort and sometimes as a first resort, depending on how much people know about it. Music therapy should be included along with speech and language therapy where they are provided.

The education boards should provide funding for the training of speech and language therapists. I have talked to people in my constituency who work with children with autism, and they have prioritised music therapy and paid for it themselves. I am told that once they are established, the health board will take over the funding. Music therapy should be central to special needs, and in future we might reduce our special needs provision bills if we were to focus on the role that music can play in children's lives from a young age.

In "Chapter 5: Recommendations" paragraph 50 b. of the report states:

"Mainstream schools should have early warning that a child with learning difficulties plans to attend their school".

The system is changing. However, until now the difficulty in Ireland was that although we knew when a child was starting school, the appointment of an assistant might not be sanctioned until 1 September. In some

cases, a good principal might have a suitable person lined up who could start almost immediately. .

There is a huge shortage of professionals regionally, so the need to train more people in speech, language, occupational and music therapy must be stressed. Parents who have experience of working with autistic children should be engaged as they are experts in the field. The parents and the children can interact. Everyone thinks that they know best, but it is the parents who deal with the children day in and day out. Not every parent will be able to articulate all that they need, but some of them are very competent. They can advise on how far to coax the child, and they know what the child reacts to. That embraces the individual learning plan that Margaret talked about.

I do not want to sound critical — the report is excellent — and I hope that my criticisms are constructive. For whatever reason, the number of people being diagnosed with autism is increasing; and that is very pertinent. The Department of Education and Science will always ask if a class will be required the following year. The children might improve — and they do improve with the help of applied behavioural analysis — but, unfortunately, they are still likely to need the service for the next year or two. Therefore I commend everyone who is pressing that issue. Go raibh maith agat.

**Mr Chris Ruane MP:** I commend the report and also the work of the Committee Chairman, Kevin McNamara. His professionalism and enthusiasm have driven this and other concise and constructive reports.

Like the Members who have spoken, I too have experience in education. Before becoming an MP, I was deputy head teacher at a Catholic primary school in north Wales for 15 years. I taught over 1,000 children in a two-form entry system, and I agree with Margaret Ewing about class size. In the 1980s I taught classes of up to 39 children. My degree was in politics and history; I had no certificate in primary education, no diploma in special needs and certainly no diploma in autism awareness. The provision of courses now available — albeit not enough — is a step forward.

I also agree with Cecilia that this is not just an educational issue but a health and social services issue.

Parents need support. The Sure Start programme in the United Kingdom is a perfect pre-school vehicle to ensure that we have co-ordination of resources, especially for parents and children from poorer backgrounds. Often people from middle-class backgrounds can seek out information themselves, but the Sure Start programme can provide help in poor communities.

Pre-school education is important not only for children with autism, but also for children who have no problems. The synapses in the brain that govern

language development are formed before the age of three, and early intervention in children's education, regardless of whether they have special needs autism or not, is vital. The Sure Start programme opens up opportunities for us in the United Kingdom. Dai Lloyd and myself are members of the Committee, and I was disappointed that Wales merited only four lines in the report; however, the Assembly is in the process of a review. Therefore it is up to us to sing the praises of what is happening in Wales.

There may be a Welsh solution to the British-Irish problem: the argument about whether children with special needs should be educated in a specialist or mainstream school. We may have the solution in my constituency, because at Ysgol Plas Brondyffryn, a specialist school for autism has been built next to the secondary school, so the children can swap between schools. They go through the same gates, there is less stigma, and they mix with children who do not have autism or special needs. It is a £2.5 million development, and I am very pleased that the National Assembly for Wales and Denbighshire County Council have developed it.

The report is excellent. It sets out best practice and gives hope to parents and to professionals. It recommends practical help such as providing training for teachers in special schools. One excellent suggestion is to encourage parents to get together. Because children are picked up at different points by the school bus, parents do not get the opportunity to congregate at the school gates and swap stories, experiences and advice.

The report also recommends that older children should help out with children with learning difficulties. That would benefit the child with learning difficulties or autism, and it would benefit the child who is helping. It is something that I did as a sixth-former in the local special needs school, and I know that I gained from it. Perhaps that is one of the reasons that I went into teaching. There is a recommendation for extra support staff, speech therapists, educational psychologists and classroom assistants. Those ancillary workers are important in helping parents and pupils to overcome difficulties.

There are also recommendations for professionals to be available to schools, early identification of learning difficulties and communication with the school. Ring-fenced funding is critical: the cost of provision for a child with problems can be as much as £120,000; my county spends about £2,500 per child on primary education. There is a huge difference. If other parents think that money is coming out of their pot, they might get a bit uppity. However, if the money were held in a separate fund, perhaps in Cardiff, the local authority could draw down on that centralised ring-fenced fund. There would be a greater guarantee that the funds would go where they are needed — to those young people with learning difficulties.

Having a key worker who can be an advocate — a parent's friend — and who knows all about rights, responsibilities and who has information to help the parent, is an excellent idea. It is similar to the community health councils that are patients' friends in the United Kingdom.

We look to the United States for research; however, there is a golden opportunity — and perhaps we can take it at ministerial level — to undertake research across these islands and across the governmental bodies that will benefit children.

What should we do with the report? Should it lie on our desks or be shoved away on our shelves? Jeff Ennis and Margaret Ewing said that they intend to take it forward. Although individuals may do that, it is a bit hit and miss. We, as a Body, should circulate the report widely through the professional and trades unions' magazines — such as those of the National Union of Teachers, the National Association of Schoolmasters and Union of Women Teachers, Undeb Cenedlaethol Athrawon Cymru in Wales and the National Association of Head Teachers. Perhaps the report could be featured in 'The Times Educational Supplement' and in school governors' magazines. It should also be circulated to the National Confederation of Parent Teacher Associations, local education authorities and Sure Start groups. Although not all the answers will be contained in the report's pages, those groups will know that there is political support and a recognition of autism, that the issue is being addressed and will be taken forward across the islands. I ask the Body to circulate the report and all its reports — the wider the circulation, the greater the recognition that will be given to their findings. The Body would receive kudos for that and would be able to spread the good ideas and practices that it uncovers in its investigations.

**The Co-Chairman (Mr Pat Carey TD):** That is an excellent suggestion.

**Mr Joe Sherlock TD:** Chris Ruane put the question clearly and I reiterate it: what is to be done with the report? It was based on six meetings in different locations, and it makes eight good recommendations based on that consultation and dialogue. Will the report be presented to each Government's education department? Will it be presented to parents' associations? As you know, Co-Chairman, in the past few weeks autism has been highlighted as a serious problem in Ireland, so the report must not be left on a shelf somewhere. The report and the research contained in it should be promoted in such a way that it will bring the Body greater recognition. Other Members who have spoken on the report come from a teaching background, and although I am not a teacher I do have an interest in this subject.

**Mr Iain Smith MSP:** I will be brief because the quality of speeches in the debate has been high, and

they have been made by people with an expert knowledge that I do not have.

I was personally pleased to welcome the Committee to the new Scottish Parliament. It was the first Committee of the British-Irish Inter-Parliamentary Body to visit the Parliament, and I was delighted to welcome it as part of the inquiry. I hope that it will not be too long until the Body returns to Scotland for a plenary. I would welcome it to St Andrew's in my constituency where we can offer almost as good views as Donegal as well as plenty of golf courses.

Committee D justified the decisions of the Scottish Parliament to move away from the formal statementing of children — in Scotland, that statement is called the “record of needs”. The report highlighted the problems with that. As Kevin McNamara pointed out, the Committee concluded that the approach in Northern Ireland in particular was too adversarial: in getting a statement of needs to provide the necessary services for the child — which is what is most important — there was too much conflict and not enough conciliation.

The child must be the focus of the process, not pieces of paper. That issue struck most Committee members when we met in Northern Ireland. Although there is a statement-of-needs process in England, everything in the guidance seems to be designed to prevent children getting to that stage. Additional support for people with special educational needs is built into the school process. I cannot remember the exact phraseology: special educational needs and a special educational needs class, or something along those lines. However, that support was designed to ensure that services were in place without the need for a formal statement to be introduced.

Some cynics might argue that that is to prevent local authorities and the Government having to provide resources that follow from a statement, but it seems to me to be a way of trying to avoid going down a bureaucratic route. Perhaps this is the time for England to look at the legislation to see whether the current system of statementing is appropriate.

In Scotland, we have moved away from the terminology of special educational needs to using the wider terminology of additional support for learning with the Education (Additional Support for Learning) (Scotland) Act 2004. It was important to show that there may be people who require additional support for learning other than those with some sort of disability.

12.15 pm

We have also moved away from the idea of having a statement of needs as part of that process, except where there is a need for cross-departmental working. The co-ordinated support plan would then come into play, where agencies other than the education authorities

would have to provide support and be involved in bringing together the co-ordinated support plan.

It is too early to say whether the new approach in Scotland will work. I am confident that it is an improvement on what we had before. However, it has only been in place for a short time and all the guidance has yet to be implemented fully. However, I am confident that the general approach is right.

Several issues have been drawn out that should be dealt with. First, early identification is important. The earlier that children with special needs, particularly those with autism spectrum disorders, can be identified and the earlier that the appropriate support can be put in place, so much the better.

Secondly, and at the other end of the spectrum, we must deal with the transition from school to post-school. The 2004 Act has addressed that issue, but we must wait and see whether the resources are in place to ensure that the legislation works. It is important that facilities are in place to ensure that those who move from the school system to post-school education or into the workplace receive all the support they need.

Thirdly, there is the question about the availability of specialist professionals. Speech and language therapists and educational psychologists are required to ensure that children can be identified and the appropriate services put in place. All Governments must deal with that situation, as there appears to be a shortage of those professionals in every jurisdiction. Cross-departmental working was mentioned, and that, too, is absolutely vital.

Finally, we must ensure that appropriate specialist courses will be available for those undertaking standard teacher training, and also those who wish to go on to work with children with special needs.

I thank Kevin McNamara for his time as Chairman of Committee D. As a relative newcomer to the Body, I found him to be a very good Chairman. He involves the Committee well, the Committee works very well together, and his contribution to the Body and to the Committee will be greatly missed. I wish him a very happy retirement.

**Mr Jeff Ennis MP:** There is no doubt that this is an extremely important report. It is one of the most important reports that Committee D has produced under Kevin's excellent chairmanship. It is the flavour of the moment both in the UK and Ireland. The Conservative Party has moved special educational needs, and autism in particular, firmly up the political agenda in the past couple of days.

The system is not perfect in any of the jurisdictions. However, we can learn from one another. The systems are patchy to varying degrees. A certain amount of baggage is attached to whichever system each jurisdiction has adopted. None of the systems adequately separates

the child's individual needs from the state's costs of provision. Scotland is probably slightly ahead of the rest of the jurisdictions. However, if the cost of a residential place is upwards of £100,000, and some small local education authorities must meet that cost, there will always be tension, to which Kevin McNamara referred, between the cost of provision and that provided.

It would be remiss of me not to thank the Committee for visiting the Robert Ogden School in Thurnscoe, near Barnsley, which is in my constituency. The school is administered by the National Autistic Society and is the largest specialist school for autistic children in western Europe. It has certainly provided an excellent service for Barnsley and south Yorkshire, and, indeed, for Yorkshire and the north Midlands in general. In fact, some of its students come from Devon and Cornwall. That, obviously, raises the issue of residential placement costs, which at the Robert Ogden School are between £50,000 and £70,000 per year.

I wish to comment briefly on some of the systems. As a member of the Select Committee on Education and Skills in Westminster, the ones that I know best are those of England and Northern Ireland. The process of SEN statementing that exists in those jurisdictions is too bureaucratic and cumbersome. It needs further refinement — if not abandonment — along the lines of the Scottish system. That must be considered in greater detail. I believe that the report is an important document, and that it deserves prominence in all areas of education. I intend to forward copies to other members of the Select Committee.

Iain Smith mentioned the transition from childhood to adulthood, and the problems that that raises. The characteristics of Asperger's syndrome are such that children who suffer from it are often very bright, but they can also be violent and can have a tendency to self-harm. I have dealt with the cases of two young adults from Doncaster, which is in my constituency, who both suffer from Asperger's syndrome. When one of those young adults left school, Doncaster Social Services initially offered him one afternoon each week in an adult day centre, and another with a mentor for a tutorial. He became so violent towards his 15-year-old younger sister — he regularly trashed the house and threatened her — that she eventually had to leave the family home to live with relatives. I am pleased to say that, since I intervened, he is now receiving care five days a week and sometimes at weekends, and that has improved his situation. However, an individual should not require the intervention of an MP or a local councillor in order to get the care that he or she needs. Dealing with such situations is a problem in all the jurisdictions.

Chris Ruane mentioned the Government's 'Every Child Matters: Change for Children' legislation — the Children Act 2004 — which, it is hoped, will directly tackle issues such as cross-boundary funding, and so

on, between Departments. It is a matter of "watching this space" to see whether the legislation will be successful — whether it will grab the tail of the tiger, as it were.

The report makes several recommendations with regard to the need for better research into the causes of autism and also the need for enhanced training provision in special educational needs. I am concerned about the gender imbalance among autism sufferers, which varies from between one female to six males in some specialised schools for autistic children to one female to 10 males in others. There must be a definable reason why boys are suffering from autism more than girls. That problem must be dealt with.

The report is excellent. If jurisdictions consider positively all the Committee's recommendations, and learn from one another, progress can be made on those difficult issues.

**Deputy Michael Torode:** To put matters into perspective, in order that people can better understand some of Guernsey's problems, the island is a land mass of 24 square miles with just 60,000 residents. Therefore when I talk about what we have scattered all around the island, I realise that the situation is not quite as bad as it is in bigger places.

Up until now, Guernsey has had three special needs establishments. One, towards the west end of the island, catered for a broad span of children between the ages of four and 19, from which the more able at 16 years old entered the Guernsey College of Further Education for vocational training. On the outskirts of the town, we had a more modern establishment that catered for 11-year-olds to 19-year-olds, with the more able going to the further education college at 16. There was also the Longfield Centre that catered for little ones from three to eight years of age.

As part of a £150 million modernisation of our educational system, we have almost completed the construction of Le Rondin, which will provide for special needs children of primary-school age. It is being built on the same site as a mainstream primary school. Two weeks ago, we approved the final tranche of £12.5 million towards a new £49 million secondary school that will have an adjoining special needs school.

The mainstream school at Les Nicolles will have about 700 pupils, and the special needs school will have up to 170 pupils. By making those provisions, we hope that even those with extra-special requirements will not have to be placed in off-island residential schools. Many children with extra-special requirements have had to leave the island. That is bad for them, because they are away from their families. It is not the right way to treat those children.

All these new facilities are mixed gender, and the whole idea of having them on the same site as mainstream schools is that, where appropriate, there can be full integration. Some pupils may be able to cope with subjects at mainstream level; others may not. The proposed facilities are not just for the benefit of the special needs pupils; they can benefit their more able contemporaries, who can learn that young people with special needs are a valued part of the community.

Building starts in a few weeks' time, and we are optimistic that the new schools on the north end of the island will be ready for September 2007. I would love to return in two years' time and be able to tell the Body what we have achieved and that we have got it right. The Education Department is a big spender in the States of Guernsey — it is second only to the Health and Social Services Department — and has put in a great deal of time and effort. It has sought assistance from specialists in the field, off-island as well as on-island.

I have read the report over the past few days, and it touches on much of the work that we have done. I thank Kevin McNamara and his team for the report. I will ensure that it goes before our Education Council when I get back.

In closing, I shall digress for a moment and, on behalf of the devolved Administrations, say a warm thank you to David Winnick, our Co-Chairman, for the warm and sincere way in which he has helped, treated and greeted us. We shall certainly miss him.

12.30 pm

**Mr Seymour Crawford TD:** I commend the report. It demonstrates how this Body, through its sub committees, can do tremendous service. The point was well made by Chris Ruane MP about the value of the reports and the need for Committee work to be broadcast as widely as possible. It is unique that people from different jurisdictions come together to look into the dire needs of those less well off than ourselves.

One needs only to look at what happened in the recent Asian disaster, when the general public surpassed any ideals of Government with the amount of money that they were prepared to give to those affected. Some Members made the point that the level of funds needed to deal properly with young people with autism and other special needs will not present a problem if Governments put the case in the right way. No one will reject the need for proper financing for all those issues.

That matter brings me back to one of the comments made in the report on the Irish visit. It states:

“It is Departmental policy that the provision of education to a child with SEN should take place in an integrated and inclusive environment with children who do not have special educational needs unless such provision is not in the child's best interests”.

That is, no doubt, the ideal and the policy of the Department. However, unfortunately, as recently as this week, I discovered that the situation on the ground was totally different. Two young people from two different families in one small school wanted and needed specialist support to help them to deal with their problems, and that has been delayed. That goes completely against the ideals of the report; help is needed at an early stage to deal with problems before they become more severe. Although the Committee has found much sympathy and commitment at Government level throughout the different regions — and I do not doubt the policy-makers' intentions — we still have a long way to go before we see delivery on the ground.

As I mentioned, in my constituency in Cootehill there is an excellent special needs school. It needs dramatic increases in funding to bring it into the twenty-first century. It has done, and continues to do, a spectacular job. I recalled recently in the Dáil the official opening of a classroom at that school by Jack Charlton, who may be known to Members as the former coach of the Ireland football team. He intended to stay for half an hour or an hour, but within a few minutes of arriving at the school, he asked his personnel to cancel all his other engagements, and he stayed there for the rest of the afternoon. Those children have a special draw and they encourage people to help, if we as public representatives are prepared to do that.

I commend the report; the work of the Committee must be broadcast much further than within this Body. The Body must demonstrate that it serves a purpose other than simply to discuss the affairs of Northern Ireland. If we do that properly, using our communications structures, the Body will enjoy a very bright future. Like others, I commend Kevin McNamara for his tremendous leadership of the Committee. As I said about David Winnick, a good Committee Chairperson can mean a great deal with regard to how inquiries are carried out. Secretarial back-up staff also have a major role to play, which they do very well.

**Dr Dai Lloyd AM:** Diolch yn fawr, Gadeirydd Gaf i ddiolch i bawb sydd wedi cyfrannu i'r drafodaeth safonol hon.

I welcome the opportunity to sum up what has been an excellent debate. In fact, I consider it a privilege to sum up what has been an excellent standard of in-depth debate about an increasingly important topic. We looked specifically at autism, having started off with the remit of far wider special needs educational provision. However, it soon became obvious that members of Committee D had to narrow the remit to autism so that we could accomplish something meaningful.

As well as praising excellent contributions from Members of the Body, I also commend fellow members of Committee D for their hard work. We travelled to



several locations on these islands — from Northern Ireland and the Republic of Ireland, to Scotland. We received two review reports from the National Assembly for Wales. We did not manage to visit Wales, but we managed to get to Barnsley and Westminster.

Excellent work was done under the expert guiding light of Kevin McNamara as Chairperson. He was a focused and able summariser, and a driver of the agenda at all times when we seemed to be wandering off on tangents. Thank you very much, Kevin, for your excellent contributions and guidance. I also commend the Clerks to the Committee — Audrey Nelson, in particular, for her diligent skill and hard work in distilling all the information into a coherent whole, and thanks also go to David Keating from the Irish side.

There are some general points that are worth emphasising. I come to the issue from a health background, not an educational one. I am a GP in Swansea and the immediate past Chairperson of the National Assembly for Wales All-Party Autism Group. Cases of autism are rising dramatically — that is a medical fact — and it is fundamentally due to the change in diagnostic criteria. Classical autism was first described in 1943, and the diagnosis was usually made if a child sat in a corner fidgeting in his own little world, totally removed from any outside interference. Those strict criteria remained in place for the next 30 years.

In the past 10 or 15 years, the criteria for diagnosing autism have relaxed fundamentally. That accounts for the huge rise in numbers, whereas, in previous generations, children were allowed to be odd, removed, or to be a computer geek, or a fanatic about railway timetables, or the original anorak — I choose my words carefully. Not everyone has a diagnosis of autistic spectrum disorder. It incorporates all those types of individuals from a low intelligence to a very high intelligence with Asperger's syndrome. There has been a phenomenal rise in the number of diagnosed cases, and Governments everywhere have been particular tardy in realising that. The clinical challenges and challenges to service provision underpin the report. The diagnosis is made in the health sector, but the treatment is carried out in the education sector. That has been one of the major problems over the years.

It would be much easier if all treatment took place within one sector. Usually, in the health sector, a diagnosis is made and treatment is given. However, in the case of autism, the diagnosis is made — frequently, not early enough — and the treatment takes place within a completely separate sector. There is no magic pill for autism. The report recommends early diagnosis, which is important in that support and service provision for the family and the child can begin straight away.

The recommendations also allude to the importance of providing key workers. Autism is a devastating

diagnosis for the parents with whom I have dealt as patients and constituents. They did not know where to turn and were expected to become experts overnight. Parents need key workers to be their advocates, mentors and friends. That is an important recommendation.

As Cecilia mentioned, MMR immunisation has absolutely nothing to do with causing autism. That must be re-emphasised. Every parent should immunise his or her children with the MMR vaccine. The vaccine has nothing to do with the rising tide of autism, which is caused by the relaxation of the criteria for diagnosis.

The rising tide of autism demands a huge hike in service provision. There are huge challenges to be met to provide the necessary support and training for staff. More speech therapists, occupational therapists, educational psychologists and special educational needs teachers are required. The detailed notes, which have been distilled into recommendations, go into some depth on the severe staff challenges that all Governments face. In some areas of Wales, we need speech therapists that are conversant in the Welsh language, but many counties have no Welsh-speaking speech therapists for special needs provision. We start from an incredibly low base of speech therapists, occupational therapists and educational psychologists. The report's recommendations challenge Governments to take the situation seriously.

Service provision must focus on the child. To be child-centred does not mean fitting the child into the service provision that is available locally or further afield; it means starting with the child, deciding what the child needs, and building the necessary services around him or her. That does not happen, except in Scotland, where an innovative approach has begun that we commend.

The statementing process is alive, but not well, in England, Wales and Northern Ireland. It is a source of delays, parental anger, extreme angst, and long drawn-out conflict. That process must be reviewed. I concur with Jeff Ennis's bitching about what is happening to additional support-needs provisions in Scotland and, increasingly, in the Republic of Ireland. The process should start with the autistic child and ensure that services are built around him or her. The present statementing process should be completely reversed.

The standard of debate has been excellent. Kevin McNamara began with a masterful and comprehensive overview — nothing less was expected. Margaret Ewing made a personal presentation based on her vast professional experience of the field.

*12.45 pm*

Cecilia Keaveney emphasised the importance of teacher support and early diagnosis. I am eternally grateful to the Clerk for distilling those points in recommendations

a, c and d from a far longer text that goes into quite phenomenal detail.

The point about interdepartmental interaction is extremely and fundamentally important. I am approaching the issue from a health perspective, and there is frustration because we can see what needs to be done but it is done in the educational field. I am sure that educationalists experience the same frustration. Departments must come together. There are some important points to be made, not only about speech therapy — and there are very few speech therapists — but about music therapy, which is also a powerful stimulant.

I have a child who is dyslexic, and, completely aside from the fact that I am a doctor, I have become an expert on it; parents become experts in whatever affliction their child has. However, that does not happen overnight, which is why parents need key workers to guide them through the traumatic early days.

Chris Ruane, who also has a wealth of professional experience, emphasised Margaret Ewing's point about class sizes and early intervention. I am glad that Ysgol Plas Brondyffryn got an honourable mention here in Bundoran this morning.

I am grateful to Joe Sherlock for emphasising the point that the recommendations in this comprehensive report must be acted upon. So much hard work has gone into it that it behoves us all to ensure that that happens, not just because of the hard work, but because the children deserve help.

Iain Smith emphasised the peripatetic nature of Committee D, as it sailed round the highlands and islands collecting evidence. He spoke of the Scottish solution, which I commend to Governments everywhere as a way of ditching statementing and of building services around the needs of the child. I am very impressed with the additional needs support arrangements in Scotland. Iain talked about the difficulties of making the transition from childhood to adulthood, which Jeff Ennis also mentioned. That is a difficulty and, again, the problem comes down to funding. Local authorities and Government must realise just how common autism is.

About four years ago the National Assembly for Wales published a child and adolescent mental health strategy. It was around 78 pages long and autism warranted two lines. Governments dismiss or fail to understand the phenomenal impact that autism has on education and health services. That is the fundamental point that we all tried to make this morning.

I was impressed with the provisions in Guernsey: more power to their elbow. I suspect that much more will be required. I am grateful to Seymour Crawford for his concluding and supportive remarks about the need for a wider distribution of the report.

I commend the report for the attention of both Governments and the devolved Administrations, as is stated in the motion. As my colleagues said, the report deserves far wider attention. I look forward to your guidance on that, Co-Chairman, because such an important piece of work, expertly distilled and pulled together, deserves its recommendations to be acted upon. The phenomenal rise in the number of children with autism poses very significant challenges for all the Governments on these islands

Diolch yn fawr.

**The Co-Chairman (Mr Pat Carey TD):** Thank you very much Dai, and thank you to all the Members who spoke.

I come from an educational background. I spent 30 years as a primary school teacher, half of which — a bit like you, Chris — I spent as a deputy headmaster. I started off teaching 62 boys in one classroom. I think that I heard the word “autism” mentioned about three quarters of the way through my teaching career. Today I see it on the front page of ‘The Irish Times’.

To answer Joe Sherlock's point, we should all, in whatever capacity we can, ensure that the report reaches our various Governments' sectoral Committees. I agree with suggestions that we could distribute this and the other reports to a wider audience.

In the Dáil, my involvement has been mostly in the area of European affairs. The reports on INTERREG interventions and so on have such broad implications that they should not simply remain with the Body. Learned as Members are, the reports raise issues that should be followed up. Perhaps I can talk to people in the Secretariat and to others in order to achieve a wider audience for, and greater circulation of, the reports.

I thank everyone for participating in the debate.

*Question put and agreed to.*

*Resolved:*

That the Body takes note of the report of Committee D on special needs educational provision in Britain and Ireland, with special reference to autism [Doc. No. 106], and agrees that the conclusions and recommendations of the report should be forwarded to the British and Irish Governments and to the devolved Administrations represented in the Body for their observations.

*Motion made:*

That the Body do now adjourn.— [Mr Kevin McNamara MP.]

## ADJOURNMENT DEBATE

**Mr Kevin McNamara MP:** This is the last time that I will move the motion to adjourn, which I have done for many years. I can assure the Body that nostalgia “ain’t what it used to be”, so I will not go any further into that.

On behalf of the Body, I would like to express our thanks to our Irish colleagues for the excellent arrangements, and to the Irish Secretariat for all the work it has done.

**Members:** Hear, hear. [Applause.]

**Mr Kevin McNamara MP:** I do not know whether its members have to go through the same painful processes as our Secretariat when deciding where to stay — visiting the various hotels, tasting the meals and enjoying the facilities. I am sure that it is a tremendous trial for them, but we appreciate their being prepared to go through it on our behalf. We have very much enjoyed the venue. My only regret is that this is as far west as we have ever been. We did not go to Ballina in Co Mayo, which I would have preferred. Members could have seen what Ireland is really about, but perhaps the Body can go there next time.

I want to thank the hotel staff for their courtesy and help. The great thing about a hotel’s staff is that we never see them, but our rooms are always clean, the meals are always on time, and we are well looked after. That is the essence of a good hotel staff, and the staff and management here have been excellent in that regard.

I am only sorry that Mary O’Rourke’s reputation preceded her. When she arrived, she asked for a cup of tea and a sandwich; the waitress said: “You know, Mary, you will have to pay for that.” It says a great deal about how well known she is. I am told, however, that she did not blink and did, in fact, pay.

I also want to thank the parliamentary reporters, who have an enormous job to do. They must be able to translate 35 different dialects into readable English, quite apart from the other languages spoken, such as Welsh and Irish. Let us hope that, on occasion, Manx and Scouse will be heard too. They do a fantastic job, and we are indebted to them for their work.

As we now have full reports of debates, I suggest to the Steering Committee members that they might consider having some Committee proceedings bound — perhaps every two or five years — and placed in the libraries of the appropriate legislatures. We have had some excellent debates over the years, and it would be a pity if the work of the parliamentary reporting staff

were to be lost or thrown away as political careers end and offices are cleared and so on. I am grateful to them.

I wish to thank the British Secretariat and the Secretariats of the other bodies, which have played such an important role in ensuring that Members arrived here on time, behaved themselves and got to bed at a reasonable hour. That is to say that we were all in bed before the first of our group was up at 6.00 am running round the golf course. They have done a very good job, and we are indebted to them.

I thank the gardaí. I think that it was Cecilia Keaveney who expressed disappointment during yesterday’s debate that she could not see that any changes had taken place. I have seen one enormous change. David Winnick will remember early meetings of the Body. Whatever city we were in, we were shoved on to a bus and escorted by great numbers of policemen on motorcycles with blue flashing lights, stopping the traffic wherever we went: it was an enormous to-do. I thought that made us an even easier target for terrorists, because they knew where we were and when. However, now the gardaí can barely be seen; we do not fall over them when we open our bedroom doors in the morning, and we are now treated as normal human beings, which shows how the situation has changed over the years. That is an enormous encouragement for the future.

Although I am retiring, I am confident that the Body will go from strength to strength — encouraged, broadened and strengthened by the arrival of the devolved institutions.

Finally, on a personal note, I thank all my colleagues and the staff for their friendship and for the encouragement that they have given me. I have enjoyed my time here; I hope that Members will continue to enjoy their time, and that there will come a time when the Body will not talk about the situation in Northern Ireland, but discuss the common interests of all the jurisdictions. Thank you very much.

[Applause.]

**The Co-Chairman (Mr Pat Carey TD):** Thank you very much, Kevin. I echo Kevin’s words. I thank Members for their participation, attendance and tolerance during my first outing here. I found the debate hugely encouraging; some great wisdom was in evidence. I thank and pay tribute to Kevin McNamara, Harry Barnes, Bill O’Brien and John Hume, in particular, for their participation over the years. As I said last night, their status is more or less iconic — and that is to undersell their contribution to the democratic process. There is no point in saying that any of them will go into retirement; they will move on to the next phase of their careers, which will be just as distinguished as the phase that is drawing to a close.

I thank my Co-Chairman, David Winnick. The words “warmth” and “sincerity” have been mentioned in relation to him. When I met David for the first time last November, he could not have been more of a gentleman or more warm and helpful to me, and I thank him for that. I know that he will be greatly missed, because I have heard his colleagues say so. Let us hope that he does not lose touch with the Body because we cannot afford to lose people of his experience or his wise counsel.

I wish to thank everyone who has made the event so successful: John Hamilton, Alda Barry and their respective officials; the sound staff; the parliamentary reporters; the staff from the Department of Foreign Affairs and the Houses of the Oireachtas in Dublin; and the hotel staff.

Finally, I wish you all the very best. Have a safe journey home. To those of you facing the electorate — whether or not the election is held on 5 May — they will recognise the great contribution that you have made here and elsewhere, and, no doubt, you will be asked about it on every doorstep, and you will be returned.

The Body will next meet in plenary session in the UK. I now declare closed the thirtieth plenary session of the British-Irish Inter-Parliamentary Body. [*Applause.*]

*Adjourned at 1.00 pm.*

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## Written Answers to Questions

*The following questions were not answered during Oral Answers to Questions on Monday 7 March and accordingly received a written answer. The answers have not been subject to the normal Official Report process and are published as issued by the Minister.*

### Peace Process

1. **Mr Michael Mates MP** asked the Minister for Agriculture and Food whether she will make a statement on the peace process.

14. **Mr Jim O’Keeffe TD** asked the Minister for Agriculture and Food whether she will report on the up to date position in relation to the peace process.

**The Minister for Agriculture and Food (Ms Mary Coughlan TD):** As parliamentarians will be aware, after several months of intense talks with the Assembly parties, the British and Irish Governments published a set of proposals on 8 December, on which they believed comprehensive agreement could be secured. These proposals addressed the key issues that must be resolved to secure peace and political stability in Northern Ireland. They include: the ending of paramilitary and criminal activity; complete arms decommissioning; the stability of the political institutions; improvements to accountability and the effectiveness of the institutions of the Good Friday Agreement; and policing, including the devolution of policing and justice. Regrettably, agreement could not be reached on the transparency elements of the process of arms decommissioning; and on a definitive end to paramilitary and criminal activity.

On 7 January, the PSNI Chief Constable, Mr. Hugh Orde, made public his assessment that the IRA were responsible for the substantial raid on the Northern Bank head office in Belfast in December. Both Governments and their security advisors are in agreement that the IRA was involved in this operation. As a consequence, the political process in Northern Ireland has suffered a critical setback.

A Government statement on the fourth report of the Independent Monitoring Commission (IMC) published on 10 February stated that the report’s conclusions “concurred with the intelligence available to both Governments in relation to the Northern Bank robbery, and other incidents in Northern Ireland”. As parliamentarians will be aware, the Secretary of State, Mr. Paul Murphy MP, announced in Westminster on 22 February, that it would be appropriate to remove Sinn Féin’s entitlement to the financial assistance available to Assembly parties for a further twelve months. Secretary of State Murphy also stated his Government’s intention to introduce a

motion shortly at Westminster, proposing that allowances for Sinn Féin MPs be suspended for a period of twelve months. Notwithstanding the imposition of these penalties, both Governments believe that the primary focus should be on resolving the central problem – the complete ending of on-going criminal and paramilitary activity.

These key issues must be resolved if trust and confidence in the political process is to be restored. Fudge and ambiguity cannot be tolerated and allowed to further destabilise the process. Political progress in the near term is not possible without absolute clarity and certainty in relation to these issues.

On 3 March, the Taoiseach travelled to London and reviewed the current political situation with Prime Minister Blair. In the absence of the full working of the institutions of the Agreement, a number of parties have advanced ideas and proposals for alternative ways forward. Both Governments are agreed that any political way forward must be consistent with the fundamental principles of the Good Friday Agreement and capable of attracting broad cross-community support. This view was conveyed to most of the Assembly parties by the Taoiseach and Minister Ahern in meetings from 25 - 27 January.

In Dáil Éireann on 15 February, the Taoiseach reasserted the Government’s commitment to “protect and develop the achievements of the Good Friday Agreement and to continue to work to secure its full implementation”. Both Governments are determined that current difficulties should not be allowed to jeopardise the significant progress made in recent years. Accordingly, Minister Ahern and Secretary of State Murphy co-chaired a meeting of the British-Irish Intergovernmental Conference (BIIGC) in Dublin on 2 March. Issues discussed included North-South co-operation; the policing project; and equality and human rights. The BIIGC is an important forum for both Governments, through which the implementation of commitments under the Agreement can be driven forward.

Consultations aimed at finding a way forward will continue with the British Government and the parties in the coming weeks. The Governments will continue to encourage all parties to fully adhere to democratic norms; and will focus their energies on implementing the Agreement and its promise of a peaceful, democratic future, that the people on this island voted for.

### Army post at Forkhill

2. **Mr Seamus Kirk TD** asked the Minister for Agriculture and Food what steps have been taken to advance the closure and removal of the Army post and communications mast at Forkhill, Co. Armagh, because of the serious health hazards posed to the local population by its presence and if she will make a statement on the matter.

**Ms Mary Coughlan TD:** The Government have frequently raised concerns surrounding the issue of British military infrastructure and personnel in Northern Ireland, including the South Armagh/ Forkhill installations, with the British Government within the framework of the British-Irish Intergovernmental Conference. Furthermore, in the context of the December 2004 discussions to establish the enabling environment for the accelerated programme of normalisation set out in the Joint Declaration, the Taoiseach personally discussed this issue with the British Prime Minister at their meeting in London at the end of November. The Deputy can rest assured that the Government will continue to press on the British Government the need to ensure continued progress in this regard, subject of course to the prevailing security situation being amenable to such moves. That judgement rests primarily with the Chief Constable of the PSNI, Hugh Orde.

As the Deputy is aware, the Minister for Foreign Affairs raised the specific issue of health hazards posed by radiation from the Forkhill mast with the Chief Technical Advisor from the Department of Communications, Marine and Natural Resources. The advisor, an expert in the field, is of the view that there is no undue cause for concern surrounding this mast as it complies with the same statutory guidelines as those in use at civilian installations. Furthermore, he is of the view that prolonged operation of the communication mast in excess of the statutory guidelines would produce unworkable conditions for military personnel in the area, and is therefore very unlikely.

### Dublin and Monaghan bombings

11. **Dr Jerry Cowley TD** asked the Minister for Agriculture and Food whether she agrees that the failure of the UK authorities to end speculation over the accusation of collusion in the Dublin and Monaghan bombings of 1972 and 1973 by publishing relevant information is unacceptable, and has exacerbated the Northern Ireland situation; whether the Irish Government will exert every pressure on the British Government to ensure that this information is published; whether the Irish Government will accept the recommendation made by the Joint Oireachtas Committee on Justice that a case to be brought by the Irish Government to the European Court of Human Rights; whether the Government will pressurise the British Government to hold a public inquiry into the matter in the interest of justice; and if she will make a statement on the matter.

**Ms Mary Coughlan TD:** Prime Minister Blair wrote to the Taoiseach on the issue of the Dublin and Monaghan bombings of 1974 and the Dublin bombings of 1972 and 1973 on 10 January 2005. The letter was passed to the Joint Oireachtas Committee on Justice, Equality,

Defence and Women's Rights, in view of the Committee deliberations on Judge Barron's report.

In that letter, the Prime Minister said, and I quote:

"The Government welcomed the establishment of the Barron inquiry and cooperated with it as fully as possible, conducting a thorough search of all government records and, consistent with its responsibilities for protecting national security and the lives of individuals, ensuring that all potentially relevant information that was uncovered, including intelligence information, was shared with the investigation.

The Government notes Mr Justice Barron's conclusions that, while allegations of collusion between British security forces and the perpetrators of the bombing were not fanciful, he had not seen any evidence to corroborate it and it could not be inferred, even as a probability.

In the circumstances, the Government concludes that no further benefit to the public interest would accrue from the establishment of an inquiry, within the United Kingdom, to re-examine these allegations.

On the matter of British cooperation with Justice Barron's extended inquiry into the Dublin bombings of 1972 and 1973, it was our judgement at the time of Justice Barron's approach that, given our experience of the scale of the task in identifying relevant material in the Dublin-Monaghan and Dundalk bombings, it would not be possible to conduct another major search through our records for material relating to the 1972/73 bombings within the timescale of the inquiry."

Notwithstanding this response, the Government continues to believe that a mechanism should be found that would allow for independent scrutiny and assessment of material and files held by the British authorities. This view was reiterated by the Taoiseach when he met Prime Minister Blair in London on 1 February. The issue was also mentioned by Minister Ahern at his meeting with Secretary of State Murphy on 2 March.

The Final report of the Joint Committee into Judge Barron's report into the Dublin bombings of 1972 and 1973 has now been published. Those recommendations include a proposal that in the event that an inquiry based on Weston Park proposals failed as a consequence of a lack of cooperation from the Government or authorities in Great Britain or Northern Ireland, that the Irish Government should consider instituting proceedings in the European Court of Human Rights in Strasbourg. The Government has yet to consider the recommendations of the Joint Committee but will do so in due course. However, it would be our preference to get an outcome through persuasion and working with the British Government.

### Animal health: all-island policy

12. **Mr Seymour Crawford TD** asked the Minister for Agriculture and Food what steps, if any, are being taken to bring forward an all-island policy to deal with animal disease in light of the significant benefit and co-operation provided during foot and mouth; does she accept that an all-island agreement would have major benefit in the prevention of any other outbreak and also in

the control of existing problems such as TB and brucellosis; and if she will make a statement on the matter.

17. **Mr Johnny Brady TD** asked the Minister for Agriculture and Food what developments are taking place on the implementation of an agreed overall animal health and welfare strategy for the island of Ireland.

**Ms Mary Coughlan TD:** I am fully committed to the development and implementation of an all-Ireland animal health and welfare strategy. My ultimate target is a policy which facilitates the free movement of animals on the island, subject to EU rules. I believe that such a policy can generate real, practical benefit for the agriculture sectors North and South and for all whose livelihoods are bound up with agriculture on this island. I have already had discussions with my Northern Ireland counterpart, Ian Pearson, with a view to pressing ahead with implementation of such a strategy.

The 2001 outbreak of FMD [*foot and mouth disease*] highlighted the value and necessity of close co-operation and co-ordination between administrations north and south. The two administrations worked successfully in a co-ordinated manner at official, Ministerial and political level to address the FMD crisis and have since developed co-ordinated contingency arrangements in the event of any future outbreaks of FMD, or indeed other animal diseases. This deepening and strengthening of co-operation, information exchange and ongoing co-ordination between the two administrations will be a linchpin for future implementation of a unified strategy for the island as a whole.

In the absence of the Assembly in Northern Ireland, the programme of work mandated by the NSMC [*North-South Ministerial Council*] to agree a common animal health and welfare strategy for the island has been taken forward by a series of working groups at official level. These working groups have met at regular intervals over the past two years. Their work has focussed on three main themes:

- Common or equivalent controls at points of entry to the island;
- Convergence of internal animal health policies; and
- Development of joint strategies for the control of animal disease.

The main achievements to date are the development of a co-ordinated and complementary approach towards import policies and portal controls at points of entry to the island, the convergence of policies in regard to animal identification, TB and Brucellosis testing and Scrapie and the strengthening of co-ordination and co-operation between both administrations on a variety of issues such as FMD, BSE and cross-border fraud.

It must, however, be recognised that the achievement of such an all-island animal health strategy will involve complex, detailed dialogue and negotiation over a range

of areas between the Irish, Northern Irish and British authorities and will not be achieved overnight. Ultimately, the agreement of the European Union will be required.

## Infrastructural projects

13. **Ms Cecilia Keaveney TD** asked the Minister for Agriculture and Food in the context of the continuing absence of an Executive and North-South Ministerial Council meetings whether, in the view of the Minister, there is a will to find a means to ensure that infrastructural projects - gas, train, plane, roads or projects of concern to the North West - can be progressed rather than left in the limbo in which we find ourselves now for years.

**Ms Mary Coughlan TD:** The British and Irish Governments remain committed to working closely together in a way that reflects the principles of the Good Friday Agreement and which protects and develops its achievements, including all aspects of North/South Co-operation. Despite difficulties in the wider political process, progress on North/South Co-operation continues, with important work being taken forward by the North/South Bodies and by Government Departments.

The Deputy will recall that in order to safeguard the achievements of the Council, the Government legislated in November 2002 to provide that both Governments could take any decisions necessary to allow the North/South Bodies to continue to carry out their important public functions on a care and maintenance basis during the period of suspension.

The Deputy will be aware that Transport is one of the areas for North/South Co-operation identified in the work programme of the North South Ministerial Council, including the further development of cross-border road and rail services. In particular, the National Roads Authority and the Roads Service Northern Ireland have commenced work on the upgrade of the Newry -Dundalk section of the M1 motorway. The up-grading of road links between Letterkenny and Dublin is also being taken up with the Northern Ireland Authorities. Additionally, the question of further funding for the City of Derry Airport is under active consideration by both Governments and I understand that Minister Spellar MP, following the BIIGC Conference in Dublin on 2 March, will be in further contact with the Irish side.

The Energy Departments, North and South, are working with the Regulators and with the support of the industry towards the development of an all-island energy market, which includes the construction of a North West pipeline. The development of all-island energy market will bring very real benefits to both the industry and consumers on the island.

These are just some examples of infrastructural work being undertaken on a North/South basis. This

Government has a strategic interest in promoting all projects which bring practical mutual benefits to both parts of the island.

### Free Travel Scheme

15. **Senator Paschal Mooney:** asked the Minister for Agriculture and Food whether she is aware of the request from Irish organisations and emigrants themselves resident in the UK to have the Free Travel Scheme extended to them, and if she will confirm that the Department of Social and Family Affairs is actively pursuing this important issue and if she will make a statement on the matter.

**Ms Mary Coughlan TD:** This issue of extending the free travel scheme to non-resident pensioners was examined in the Review of the Free Schemes which was published by the Policy Institute, Trinity College Dublin in 2000. The Review considered that the main objective of the Free Travel scheme is to encourage older people and people with disabilities to remain independent and active within the community, thereby reducing the need for institutional care.

It noted that extending the scheme to Irish pensioners living abroad who visit Ireland would have significant administrative and cost implications even if it was confined to those in receipt of Irish social welfare pensions. In 2000, it was estimated that the extension of the free travel scheme to EU pensioners could incur expenditure of the order of Euro 10 million to Euro 19 million, depending on the level of concession granted.

However, one of the issues for consideration in relation to this proposal is Article 12 of the EC Treaty which contains a general prohibition on discrimination on grounds of nationality. In other words, a Member State cannot treat its own nationals more favourably than nationals from the other Member States.

This may mean that if the scheme were extended to Irish emigrants living in the UK, it would have to be extended to all pensioners who are EU nationals coming to Ireland for temporary stays. Extending the free travel scheme to all retired citizens of the European Union would not be in keeping with the objectives of the scheme.

My colleague, the Minister for Social and Family Affairs is mindful that this matter has been raised by Irish organisations in the UK and in the Dáil a number of times recently and he is continuing to examine the issues involved.

### Disposal of farm waste

16. **Senator Francis O'Brien:** asked the Minister for Agriculture and Food whether the disposal of farm waste could be considered in the context of an all-Ireland development.

**Ms Mary Coughlan TD:** I understand that this question relates to the production of organic manures on farms, and applying it to land in an environmentally acceptable and sustainable manner.

The best way of using organic manure produced by farm livestock is by managing it and recycling it at farm level. As far as possible, this should be managed within each jurisdiction. We should explore every appropriate avenue to ensure the sustainable use of manure by recycling it on crops including grassland. This approach also contributes to a lowering of fertiliser costs on farms and a reduction in the imports of fertiliser.

Cattle, dairy and sheep farms are managed in a way that allows the volume of organic manure produced to be recycled on the farm of origin of the livestock. During the grazing season the manure is recycled on the grazing ground, while manure produced during housing is normally applied on the silage ground.

However intensive agricultural enterprises like pig and poultry units would, by virtue of the importation of a significant proportion of the feed, require additional spreadlands above and beyond the farm of origin of the animals.

Following a major expansion in chicken numbers in Northern Ireland, officials from my Department met their counterparts in DARD [*Department of Agriculture and Rural Development*] to discuss issues associated with imports of poultry litter from Northern Ireland. Animal by-products legislation allows for the movement of chicken litter between member states with the agreement of the state where it arrives. Imports have to be fully regulated, particularly to protect against the risk of spreading disease. Discussions between the Departments North and South are continuing with the aim of putting appropriate measures in place – including veterinary certification – in relation to disease. All aspects of this matter will be explored — including the possibility of funding under a North/South initiative programme such as INTERREG.

Manure management is a very topical issue at present, in that both jurisdictions are in the process of producing action programmes for the further implementation of the EU Nitrates Directive. The outcome will be of great interest to the farming communities both North and South. Both jurisdictions have decided to adopt a “whole territory” approach to the implementation of the Nitrates Directive rather than going for designated nitrate vulnerable zones. The European Commission will wish to see complementary action programmes put in place.

My Department has held a number of informal meetings with the Department of Agriculture and Rural Development, Northern Ireland and Department of the Environment, Northern Ireland on the implementation of the Nitrates Directive. The Department of the Environment,



Heritage and Local Government has also been involved in these informal contacts and in separate informal meetings with its counterparts in Northern Ireland.

The emphasis of these discussions was on exploring areas of common interest in implementation of the Nitrates Directive. These meetings have been of considerable benefit to the authorities North and South and my Department will continue to exchange information and be available for consultation as required.





