



**BRITISH-IRISH
PARLIAMENTARY ASSEMBLY**

**TIONÓL PARLAIMINTEACH
NA BREATAINE AGUS NA hÉIREANN**

THIRTY-SEVENTH PLENARY SESSION

20 and 21 October 2008

Newcastle Marriott Hotel, Newcastle-upon Tyne

OFFICIAL REPORT
(Final Revised Edition)

(Produced by the British-Irish Parliamentary Reporting Association)

Co-Chairmen

Rt Hon Peter Hain MP Niall Blaney TD

Members and Associate Members

Dave Anderson MP
John Austin MP
Baroness Blood
Senator Dan Boyle
Johnny Brady TD
Senator Martin Brady
Deputy Alan Breckon
Joan Burton TD
Rosemary Butler AM
Alun Cairns AM
Alistair Carmichael MP
Senator John Carty
Willie Clarke MLA
Margaret Conlon TD (Vice Chairman)
Seymour Crawford TD (Vice-Chairman)
Rt Hon Lord Cope of Berkeley
Lord Dubs (Vice-Chairman)
Senator John Ellis
Jeff Ennis MP
Senator Geraldine Feeney
Paul Flynn MP
Michael German AM
Lord Glentoran
Lord Gordon of Strathblane
Deputy Graham Guille
Brian Hayes TD
Dr Dai Lloyd AM
Dr Alasdair McDonnell
Barry McElduff MLA
Dinny McGinley TD
Rosemary McKenna CBE MP
Andrew Mackinlay MP
David McLarty MLA
Lord Maginnis of Drumglass
Rt Hon Michael Mates MP (Vice-Chairman)
Alasdair Morgan MSP
Baroness O’Cathain OBE
Charlie O’Connor TD
Fergus O’Dowd TD
Dr Rory O’Hanlon TD
Jim O’Keeffe TD

Sean Neeson MLA
Chris Ruane MP
Hon Steve Rodan SHK
Lord Smith of Clifton
Robert Walter MP
Jim Wells MLA
Joyce Watson MLA

ALSO IN ATTENDANCE (FOR ALL OR PART OF PROCEEDINGS)

Mr Eamon Ryan, T.D, Minister for Communications, Energy and Natural Resources
Mr Denis Bradley, Chair, Consultative Group on the Past
Lord Eames, Chair, Consultative Group on the Past
Mr Paul Goggins, M.P, Minister of State Northern Ireland Office
Rt Hon Shaun Woodward M.P, Secretary of State for Northern Ireland

MONDAY, 20 OCTOBER 2008

The Body met at 10.00 am.

PLENARY BUSINESS

The Co-Chairman (Rt Hon Peter Hain MP): I welcome everyone to Newcastle. I remind Members that the proceedings of the Body do not attract parliamentary privilege. It is rather warm in here, so please feel free to take off your jackets.

I extend a warm welcome to everyone, but particularly to Margaret Conlon, who is taking up her position as Vice-Chair in place of Séan O’Fearghail, whom we thank and wish well. We also send our best wishes to former Co-Chair Pat Carey. Since we met in Wexford, there have been several changes in membership. We will miss Martin Mansergh, to whom we send our best wishes. We welcome for the first time Lord Maginnis. We also welcome Lord Cope of Berkeley as a full Member of the Body in place of Dominic Grieve.

We extend a special welcome to David McClarty MLA and Jim Wells MLA, who are representing the Ulster Unionist Party and the Democratic Unionist Party for the first time in the history of this organisation. It is great to have you here, David and Jim, and we look forward to your energetic participation in the proceedings of the group. I invite Niall Blaney, the Co-Chair, to say a few words about their appearance.

The Co-Chairman (Mr Niall Blaney TD): Like my colleague, I welcome both gentlemen, David McClarty and Jim Wells, to the Body. Just under a year ago, at my first plenary as Co-Chair, the Body was incomplete without the representation of these two parties. For the first time in history, the Body is now complete. I hope that we can now move on and complete our east-west dimension as a new Body and later today finalise the new details and the name change. This is certainly good news for the Body and the new Members are very welcome.

The Co-Chairman (Rt Hon Peter Hain MP): The Body gives its unanimous welcome to David McClarty and Jim Wells—and to Ken Maginnis, as well. What time did you get up this morning, Ken?

The Lord Maginnis of Drumglass: At 4.30.

The Co-Chairman (Rt Hon Peter Hain MP): I have to 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 session. From Ireland, we have Senator Martin Brady, Senator Geraldine Feeney and Senator John Hanafin. From the United Kingdom, we have David Anderson MP. From Northern Ireland, we have Alex Attwood MLA and Willie Clarke MLA.

I inform Members that there will be a suspension for the so-called family

photograph, to be taken on the steps of the conference centre at 2.15 pm. I ask everyone to be there sharp so that we can resume the session at 2.30 pm.

ADOPTION OF PROPOSED PROGRAMME OF BUSINESS

The Co-Chairman (Rt Hon Peter Hain MP): Members will have received a copy of the proposed Programme of Business. There is one change. Paul Murphy, who was due to speak this morning, unfortunately has had to be called away to attend the meeting in 10 Downing Street of the National Economic Council. He much regrets this. I hope that he will be present at Donegal, because the relationship between the British-Irish Council and this Body is extremely important and he is keen to address us and to discuss that matter. Is the proposed Programme of Business, as amended, agreed?

Programme of Business, as amended, agreed.

RULES AND FUTURE OF THE BODY

The Co-Chairman (Rt Hon Peter Hain MP): It would be helpful if those wishing to put questions during the debates who have not already given their names to the Clerks could do so as soon as possible, or indicate to me or my Co-Chair that they wish to contribute. The Steering Committee has in mind the imposition of a time limit, if needed, of four minutes, with 10 minutes for opening and closing speeches. If we run out of time, we may need to revisit that, but I hope that everyone will stick to the informal rules that we have always had, so that as many people as possible can contribute.

The Steering Committee has placed a motion on the agenda to change the name of the Body from the British-Irish Inter-Parliamentary Body to the British-Irish Parliamentary Assembly. Members will be aware that this was signalled in our plenary in Dublin in spring 2007. The change of name brings us into the modern era to reflect the participation of the Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly, the Tynwald and the States of Guernsey and Jersey. I call Alasdair Morgan to move the motion on the rule changes. Members have the documents before them. I thank Alasdair, his officials and other Members of the Scottish Parliament for all the hard work that they have done on our behalf in bringing the document to this point.

Mr Alasdair Morgan MSP: I beg to move

That the Body shall henceforth be entitled the British-Irish Parliamentary Assembly and be governed by the rules contained in Document 136.

As the Co-Chair alluded to, the Steering Committee last year set up a sub-group, whose members were Michael Mates, Alasdair McDonnell, Jim O'Keeffe and I. The purpose of the group was to look at the rules of the Body in the light of ongoing changes, particularly developments in Northern Ireland and the call in the St

Andrews Agreement for an east-west parliamentary forum. Much of the background to this is in the helpful paper from the Oireachtas, Document 137.

As a new Member to this Body last year, particularly as a Member of the Scottish Parliament, I have to say that it was not immediately obvious to me exactly what the ongoing role of the Body was going to be. There was certainly a question mark in my mind about whether our respective taxpayers were continuing to get sufficient value for the money that they spend on the Body. Over 18 years, the British-Irish Inter-Parliamentary Body has clearly achieved its original primary objective, which was to foster closer political relationships between the United Kingdom and Ireland. In its own modest way, it has made some contribution to the progress of the peace process, which, equally clearly, will remain a work in progress, although not, I hope, at the same level of intensity that it was 18 years ago.

When the devolved institutions and Crown dependencies, to which the Co-Chair referred, joined the Body in 2001, that represented a move to broaden the objectives of the Body, but little changed in our rules and proceedings to reflect that change. The detailed rule changes outlined in Document 136 alter the rules to reflect the membership change that happened in 2001 and they tidy up the rules on other matters. Quite frankly, however, that is not the point. I do not intend to go into the rule changes in detail. If anyone wants to talk about them, they can meet me in a darkened room at a later stage. What really matters is what we do and what we say in this Body, not the set of rules, which we should never have to refer to once we have adopted them.

More important is the name change, to which the Co-Chair alluded, from the British-Irish Inter-Parliamentary Body to the British-Irish Parliamentary Assembly. The importance is not in the change of name; it lies in what the name change can symbolise. In my opinion, it should be the start to a reform process. It should indicate a new culture of shared working between us to reflect the changing constitutional landscape in these islands. The name change also marks the attendance for the first time of our Unionist colleagues from Northern Ireland and it should show that we are the east-west body that the St Andrews Agreement refers to. We are now a body with Members from eight different organisations. All these Members should feel that this Assembly is equally relevant to them and that they are all equal participants in it.

How do we actually achieve that? I will throw out for discussion some questions that we might ask ourselves. We should think about formalising our relationship with the British-Irish Council. Most parliamentary bodies exist to scrutinise an executive. Is the British-Irish Council the executive corresponding to this parliamentary body and should we scrutinise what it does? Does the likely establishment of a permanent secretariat for the British-Irish Council open up ways of formalising that relationship? What are the implications for our secretariat? Do we need a more formal agreement— a concordat, even—between the British-Irish Council and this Assembly? Can we perhaps have joint plenaries of the Council and the Assembly, or meetings at the same place and time?

Does our Committee structure need to be more flexible, so that we can respond more quickly to events and issues as they crop up? Can we increase the significance of this Body for the individual Parliaments that we represent, which often may pay little attention or have little interest in what we do? Do they see us as the obvious channel of communication between the Parliaments and, if they do not, what can we do to change that? Can we learn something from the Nordic Council? Do we need to use IT more to improve our internal working and communication, which seems to be difficult between our six-monthly meetings? Do our budget and funding structure match our ambitions, if we indeed have these ambitions?

That is all that I want to say just now. I want to throw out these ideas. This should be a new start. It is very much a work in progress; the constitutional details are just the bricks that underlie that. I have great pleasure in moving the motion in the name of the Steering Committee.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you, Alasdair, for the way in which you introduced this and the work that you have done.

I ask everyone, even if they have their mobile phones on silent or vibrate, to switch them off, as they are mucking the sound system around.

Perhaps I may, without abusing my position, add to what Alasdair Morgan has said. Those of you who have been Members of this Body for a lot longer than I have will know that the purpose of the Body was originally to bring parliamentarians together from the UK and Ireland. In the early days, that was quite a fraught process and the tensions were considerable. However, we have overcome that to the point where London and Dublin, and Ireland and Britain, are speaking on international affairs as partners in the European Union. The relationship between the Taoiseach and the Prime Minister is close—notably so, in the case of Bertie and Tony, but since then, too.

With the north-south relationship having stabilised in the new dispensation that is being taken forward, is there now a different role for this Body? I think that everyone feels that there should be and that we should be much more focused on the east-west agenda and common issues, such as energy policy, finance and the economy, and security in terms of migration and drugs. That brings into focus the issues that Alasdair Morgan raised about the role of the British-Irish Council, which until now has been rather decorative and symbolic, as opposed to real—I speak as someone who has attended its meetings—and the role of this Body as its parliamentary arm. It would be useful if colleagues could focus on some of those issues as we move this organisation forward under a new label and give it a new purpose in a new era.

10.15 am

The Lord Glentoran: I have been on the Body for a long time—about 10 years—and

I am concerned about where it is going. From what I have read and heard, I do not believe that it is going in the right direction at the moment. I agree with the Co-Chairman, who I think is more in tune with the way in which the Body should be going than others perhaps are.

The Body has grown. When organisations such as this grow, they tend to become more expensive and they tend to lose, not gain, authority. They lose focus because there are too many differing ideas and angles. I am concerned that the Body will lose focus and become too expensive—in these days of extreme shortages of money, it is likely to come under attack for that.

I think that the Body should concentrate positively on the things that really matter east-west. On the surface, the IRA problem and the north-south politics have gone away, but of course they have not really gone away—the IRA certainly has not gone away and the security problem has certainly not gone away. However, many other things are right at the top of the list to be dealt with by east-west Governments. For example, there are the border problems. We have a land border between north and south. We have open sea borders all around. We have significant problems with drug smuggling and the entry of drugs into the whole of the United Kingdom from coastal regions, particularly open coasts, such as the west and south of Ireland and the southwest of England. We need to work together on that.

Immigration is another issue. Committee D is producing a report today on immigration matters. The national Governments in Dublin and Westminster need to concentrate on the issue on an east-west basis. There are benefits from concentrating on a united strategy for tourism.

Agriculture in the two islands is vital. There is smuggling of livestock. Veterinary issues are becoming more important. We need to get closer together in controlling animal diseases. We have been pretty good at that. I remember coming to a meeting of the Body in the South of Ireland when foot and mouth was just breaking out. We managed to set the bells ringing because we had not been checked at all at the Irish airport—Cork, I think. The Irish and the Northern Irish got together and did a fantastic job. However, the problem is always there and it needs to be sat on.

Organised crime is running across the border and, I am sure, east-west. Other issues may be equally difficult. Driving penalties need to be co-ordinated north-south. It is important for a body such as this to concentrate on that. Firearms legislation also needs to be better co-ordinated. Corporation tax is always coming up at government level; it is particularly an issue for the UK Government. Fuel smuggling and doping are also problems. There is also energy sharing and the pricing of energy.

Those are just a few issues that I have been thinking about and which I believe this Body and its Committees should be working on. We should focus on what really needs to be tackled east-west by the two Governments in Dublin and London.

Mr Jim O’Keeffe TD: As one who attended the original meeting of this Body in

1990 at Westminster, I think that it does no harm to recall the huge success that the Body has brought about over the years. There is no doubt that you could actually feel the tension between the politicians of our islands at those first meetings. If nothing else, the Body has achieved dramatic results in formal and informal relations between the parliamentarians of these islands. That has contributed to the resolution of the main problem on our islands—the problem in Northern Ireland. We have always had the empty seats for our Unionist friends and I take this opportunity to say how marvellous it is—it is a watershed—to have them here, sitting with us in this Body, which we now propose to rename. That is an enormous development.

I take the opportunity on behalf of the sub-committee charged with drawing up the new rules of the Body—or Assembly, as we should now call it—to compliment Alasdair Morgan and his team, who did all the donkey work. As a member of the subcommittee, I think that we can assure the Assembly that these rule changes have been parsed and analysed in great deal. We commend them fully as they are.

The direction of the discussion outlined by Alasdair Morgan is the one to follow, rather than our getting tied up in clauses and sub-clauses at this stage. We should open up the picture of where we go from here. This Body can have a major role in eastwest relations between the islands. We should follow the line suggested by Alasdair Morgan of having a formal and possibly informal relationship with the British-Irish Council. After that, there is another menu, a substantial part of which was outlined by Robin Glentoran. That is enough to keep us going for quite a while.

This is a historic day for the Body, now the Assembly. I strongly commend the proposed changes. Now it is a question of getting down to work to do the kinds of things outlined by the previous speaker to make the Assembly even more effective in the years ahead.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you, Jim, and thank you for your work as a member of the sub-committee.

Mr Robert Walter MP: Not only are we changing the name, but we are entering a new era. I echo our welcome to our colleagues from the two Unionist parties. This is the final piece of the jigsaw in what we are doing.

We must as a Body retain our ability to discuss anything that is relevant to these islands. I congratulate Alasdair Morgan and his Committee on the work that they have done, particularly on raising our relationship with the British-Irish Council, which I believe is an important area for us to get involved in. Of course we fully understand why Paul Murphy is not here today, but it is a pity that he is not, because I think that we could have started to move that dialogue on with the BIC.

I make a few suggestions about how we might start to cast this relationship in stone. I wonder whether we could request of the BIC that it make a half-yearly report to the Assembly, which we can then consider at our meeting. A BIC representative could come and speak to the report and answer questions on it, so that we are all aware of

what the BIC has been doing. Our Committee reports and the resolutions that we pass should not only go to the appropriate Government, but be referred to the British-Irish Council, which could perhaps become the conduit for putting those reports to the relevant Government. The answers could then come back from the BIC. If we do not get any answers back, we will know who to blame. It should become part of our regular pattern that Ministers appear before us in the context of their role within the BIC. In that way, we could provide the necessary parliamentary oversight of the east-west dimension that we have been talking about for so long.

As for practical arrangements, although we will not necessarily be able to do this in the short term, perhaps in the long term we could follow the Nordic Council, which has been referred to. At Nordic Council meetings, Ministers meet at the same time, in the same city. They drop in and out of the parliamentary sessions, in which they answer questions and speak. Perhaps we can start to develop that kind of relationship as well, to bring more relevance to and to raise the profile of what we are doing—if Ministers and parliamentarians are meeting in the same city at the same time, we will become more relevant. That may mean that we no longer meet in nice country house hotels; we might have to start meeting in capital cities in parliamentary committee rooms rather than out in the fresh air. I hope that that is a helpful contribution. I am confident that we will agree to the motion.

Mr Dai Lloyd AM: Diolch yn fawr, Cyd-Gadeirydd. I speak from the perspective of the National Assembly for Wales. We have been Members of this Body for the past eight years. I greatly welcome the motion and commend Alasdair Morgan and others at the Scottish Parliament, as well as members of the sub-committee that we have been hearing about, for all their hard work. This is a necessary change to reflect new realities both as regards the settled situation in Northern Ireland and as regards devolution in these islands. It reflects the appearance of Members of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly—I add my words of welcome to colleagues from the North on their first appearance—as well as colleagues from the Isle of Man, Jersey and Guernsey. It is appropriate and necessary that the British-Irish Inter-Parliamentary Body should metamorphose into the British-Irish Parliamentary Assembly.

I also welcome the tidying-up of the various rules and regulations. I will not agree to Alasdair Morgan's invitation to meet in a darkened room, because, like him, I am not a person for the minute details of rules and regulations. I take them in the spirit in which they were written. This is a necessary tidying-up procedure to reflect the new realities. Yes, we want to talk about east-west matters and problems that we all share, about which we will hear more in this two-day conference. I am thinking about tourism, economic development, the credit crunch, transport, migrant workers and energy policy. Those matters are relevant to us all, regardless of which jurisdiction we happen to live in.

I agree with Robert Walter that this new Assembly should have the parliamentary scrutiny role of overseeing the work of the British-Irish Council. After all, Ministers from all the jurisdictions meet on the British-Irish Council. This is the parliamentary

arm and philosophically it follows that we should have that necessary scrutiny role of our own Ministers.

10.30 am

Mr Seymour Crawford TD: I thank Alasdair Morgan and the others who were involved in drawing up the documentation. I welcome the new structures and especially the new name. Not only was there a need for a change in name, but it was part and parcel of an agreement with our Unionist colleagues, both in the Ulster Unionist Party and the DUP, that we should move forward. We wanted to make sure that they felt part of the new situation. I say to our three colleagues—Lord Maginnis, David McClarty and Jim Wells—that it is great to see them all here today. It certainly fills a gap that has been there for quite some time. When I first came to the Body in 1993, we had much livelier discussions. Some people from Westminster had strong Unionist links and put forward our colleagues' positions. There is no doubt that those days were different. Thank God things have changed to some degree.

I agree with Lord Glentoran that all is not perfect yet. We do not live in a perfect world. Drug smuggling and the oil issues will be with us for quite some time, but our security forces are coming to grips with those problems and can deal with them. This Body can fulfil the structures required under the St Andrews Agreement to have an east-west dimension. That is covered by the fact that the Assembly will represent all the different bodies in these islands. That is good.

A previous speaker talked about changing from airy, country situations like those here to committee rooms in Parliaments. I think that that would be a retrograde step. In that situation, more Members would be in their own rooms than in the meeting rooms, when the whole purpose of this Body was to get people together in a situation in which they could relax, get to know one another and break down the barriers. I do not think that meeting in the committee rooms would do anything towards achieving that, so we need to be careful.

This is not just about east-west. We still have a lot of issues to deal with north-south. Lord Glentoran mentioned animal diseases. Recently, we had the valuable experience in which foot and mouth was treated as an all-Ireland situation. The industry in Northern Ireland was able to continue selling its products. That would not have happened without the new situation. The Body certainly played a major role in that. However, a number of other cross-border things need to be dealt with, so we must not forget the north-south dimension; we must ensure that we have structures in place to deal with it.

I welcome the changes and believe that there is much for the Assembly to deal with in the future. If we were to talk in purely economic terms of the value of this Body, we could forget about it. The Body is much greater than that. If the two Governments get to the stage where they cannot afford to cover our meeting costs twice a year and a few committee meetings, the structure will certainly fall down. I hope that that would not be the way people are thinking. I urge the Body to accept

the proposal and to move forward.

Hon Stephen Rodan MHK: This year, it has been the Isle of Man's turn to represent the Crown dependencies on the Steering Committee. It has been a great privilege to have been on the Committee at this critical time, when considerable work has been done, particularly by Alasdair Morgan and his sub-committee, to recast the rules of the Body. I also note the work that has gone on behind the scenes over the past 12 months on the part of various individuals to ensure that all the parties of Northern Ireland are now represented on the Body. That has been a considerable achievement.

I echo the comments made by Alasdair Morgan and Robert Walter. It is a matter of regret that we were not able to hear from the word go this morning from Paul Murphy in his capacity as the UK Minister responsible for the British-Irish Council, as that would very much have set the tone for the entire conference. It would have given us the opportunity to learn of the changes that are being made within the British-Irish Council and therefore would have given us a steer in recasting our own role and responsibilities. I understand that that British-Irish Council is being recast and is looking afresh at its method of working, focusing on particular sectors with lead jurisdictions in each case directing the work, whether it be on tourism, economic affairs, the environment or whatever. If this Body is to have a role, it surely must be to shadow the activities of the Executive and Government Ministers working in the council.

I see the changes in our role and name as being much more than symbolic. The change of name from Body gives us an opportunity to sit and think about what it means to be an Assembly. An Assembly is surely a body of people who assemble to confer and, as parliamentarians, to carry out the vital role of scrutinising and holding to account the activities of government and executive. In fact, I should use those words in the plural: Governments and Executives. This gives us a unique opportunity as parliamentarians to question and hold to account not just Ministers but Ministers from other jurisdictions. Whether we are from a Crown dependency or another sovereign jurisdiction, the ability to table questions and to hold to account a Minister from another jurisdiction is unique and—dare I say—gives the flavour almost of a federal Assembly arrangement within the British islands, if I may use that term in a geographical sense. That seems to be the way in which we are heading.

I hope that we will take the full opportunity of developing and recasting our structures to make that possible. I look particularly to the rules and Document 137 from the Oireachtas, which has highlighted the need for the Committees to better reflect the wider composition of the membership of the Assembly. There is a real opportunity in particular for those from the Northern Ireland political parties that are new to our membership to be active in our committee work and there is an opportunity for our component jurisdictions to share in the clerking and administrative activity of the Assembly. Certainly from the point of view of the Isle of Man and no doubt from that of my Channel Islands colleagues, we see this as an opportunity to become more involved.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you, Stephen, particularly for your offer of assistance. The National Assembly for Wales has been very helpful in agreeing to revamp the website for this Assembly. Any contributions from the Isle of Man or other jurisdictions would be very welcome. You mentioned the paper from the Oireachtas. I should have mentioned at the start that this has been laid before Members as background material, rather than for adoption, unlike the rules mentioned in the motion. Niall Blaney will say something about that later.

10.45 am

Rt Hon Michael Mates MP: I add my words of delight at the fact that the Unionists are now here. That is something, as the Body will know, that I have spent many years trying to negotiate. The others will forgive me if I say a particular word of welcome for my old friend Ken Maginnis, because 20 years ago, when he sat on the House of Commons Defence Committee, which I had the honour of chairing at the time, I used to give him lessons in navigation. Clearly my work is not yet done, but I will do my best to make sure that he is in the right place next time.

We must thank Robin Glentoran for the list of things to do. I am slightly disappointed, if not surprised, that he started off by criticising us and saying that we were going the wrong way. He then told us where we should go. Well, as everybody knows, we have been going down that road, perhaps falteringly, for some time. We have looked at penalty points, drugs, cross-border policing and the assets recovery scheme on both sides of the border. This is all the new work following—thank goodness—the Good Friday Agreement and the end of the political strife, if I may put it that way. Robin’s list is a good one. We will look at it closely in our various Committees, but I ask him to stay with us and help us to do it, because I am sure that this is the way in which the Body, or the Assembly as it is shortly to be called, should go.

Lastly, I agree strongly with Alasdair Morgan about oversight. I have one recommendation to make: the report of this debate should go to Paul Murphy and to the officials of the British-Irish Council so that they can see what we intend to do and, one hopes, so that they can move towards us.

The Co-Chairman (Rt Hon Peter Hain MP): That is an interesting proposition. I assume that colleagues would be happy to endorse Michael’s suggestion that we write formally to the BIC as a result of this discussion of the change and ask for its response. Is that acceptable?

Members indicated assent.

The Co-Chairman (Rt Hon Peter Hain MP): Good. I now call Jim Wells. Jim, you are very welcome.

Mr Jim Wells MLA: Ladies and gentlemen, I am conscious of the fact that this is an

historic—albeit with a small “h”—occasion in that, for the first time, Unionists have taken part in this Assembly. In 1986, I was the first DUP MLA ever to speak in the Irish Republic; I spoke at the MacGill Summer School in Glenties. I got back alive and reported that perhaps people such as Jim O’Keeffe were not as dangerous as we thought that they were. Since my safe return, my party colleagues have regularly spoken in the Irish Republic.

I am reminded of a story that occurred when I was first elected to the Assembly in 1982. We had a Back-Bencher who had his speeches written for him in small typed paragraphs by one of our academics. He would religiously read every word of what he was given on to the record. He came out one day with a very interesting comment. He said: “The school in Coleraine is as good as closed. Indeed, you could say it was a fat accomplice.” After a lot of thought, we realised that the researcher had written the words “fait accompli” and that he had simply read it as he saw it on the script. I suppose to some extent that this, too, is a fait accompli and what many Members would see as the final piece in the jigsaw as far as this Assembly is concerned.

I thank Members for their kind welcome. The last time I shook so many hands in a hotel was on the day I got married. David McClarty and I were taken around like royalty last night and introduced to a range of powerful political figures from throughout the British Isles and the Irish Republic. Indeed, I texted my colleagues back home last night saying, “This room is full of important political figures. Why am I here?” That welcome was much appreciated.

My party, the DUP, strongly welcomes the proposed changes to this Body and the proposal that it form an Assembly. We have always maintained that the east-west link should be put on an equal footing with the north-south link. We are very keen on the idea of links between all the devolved Assemblies in the British Isles, or Britain and Ireland, or whatever you wish to term it. For instance, our party proposed that that BIC should have a full-time secretariat. We thought it wrong that the north-south links should have a full-time secretariat while the east-west links did not. I am glad that progress is being made on that. The proposed changes will allow my party to play a full and active role in this organisation in the future. We welcome that.

I suppose that, if one wanted to sum up the view of the DUP on cross-border links, it would be as simple as this. Next door to my home is a very young athletic man. If I found that my wife was having a close relationship with that young athletic man, I could look at it on two levels. The first would be to say that they were doing it in order jointly to manage the hedge that divides our properties, which I would welcome.

However, if it went beyond that, I would start to worry. I hope that the hedge will be very well maintained and that this organisation will go from strength to strength. We certainly intend to play our full part from now on.

The Baroness O’Cathain: I am slightly confused about the relationship between the British-Irish Council and this soon-to-be-renamed Assembly. I was particularly worried when Robert Walter spoke about the process whereby the reports from the Committees of this Assembly would go through to the British-Irish Council, which in turn would disseminate them among the Parliaments or Assemblies; the reaction would then come back from the Parliaments and Assemblies through the British-Irish Council to this Body. Is there not some way of circumventing all that bureaucracy. We have a problem with getting reports out within a reasonable timescale. Indeed, some of them could be out of date before they get to the Parliaments, if that is where they should go. I feel that there is an element of duplication in all this and I am concerned that we might waste some time doing what has been suggested.

Mr Barry McElduff MLA: Go raibh maith agat, a Chomh-Chathaoirligh. I will focus on Section 6 of the document. Obviously, the Assembly’s emphasis will be east-west, but I am glad that it will retain an interest in political developments in the North of Ireland. I felt that Robin Glentoran’s menu was a wee bit too narrow. It is not all about protecting borders; there is more on the agenda than that. Reference was made to our IRA problem, but all we have to do is read the recent Independent Monitoring Commission reports, which—far be it from me to quote the IMC—talk about the IRA having taken an irreversible move towards politics and peace. It is important to put that on the record. If Robin Glentoran has been away for a number of years, I have good news for him. The IRA has vacated the stage. He would probably want to welcome that.

I am glad that the Unionist MLAs are participating in the Body, which is soon to become the Assembly. We should remove all barriers to dialogue. Of course we have a different take on the world. Jim Wells may wish to protect and maintain the hedge, but I have a perfectly good hedge cutter at home, in perfect working order, and it is my full intention to have a go at removing that hedge. That is what I am about.

It might be a good idea to delete Section 6(f), as it says that:

“a further attempt should be made”,

to secure Unionist involvement in the Body. That is outdated now.

I welcome what Seymour Crawford said about the need to pursue the north-south agenda within the island of Ireland. I take health and education as two examples. Why should acute hospitals in the island of Ireland—or, indeed, in any island—be planned and programmed back to back without reference to each other. We need health planning on a single-island basis if we want to maximise the use of resources and to avoid duplication. On education in the island of Ireland, if there is a surplus of teachers in the North and a shortage of teachers in the South, can we not come up with some arrangement in which people look at that on a single-island basis.

Yes, the emphasis will remain east-west and, yes, this Assembly will remain actively interested in political developments in the North, ensuring, we hope, that power

sharing will be taken forward on the basis of equality and partnership and nothing else—not domination. Yes, we should also look at all-island matters pertaining to Ireland. There is a mixture of things, but I emphasise that the hedge cutter is in good order.

The Co-Chairman (Rt Hon Peter Hain MP): I just wonder where your wife fits into all this, Barry.

Mr Barry McElduff MLA: She will be surprised to see me doing any gardening.

The Co-Chairman (Rt Hon Peter Hain MP): I think that Robin Glentoran wants to withdraw an earlier remark.

The Lord Glentoran: Thank you, Co-Chairman. I just want to withdraw my reference to “IRA” and replace it with “dissidents”.

Mr Michael German AM: My gardening skills are absolutely nil, so Members are welcome to come over and help me out.

Paragraph 32 of the report makes some interesting remarks about Committees. I have two points about the way in which the Committee structure of the Body, or Assembly, will evolve. The first one is about resources. The Committee structure is crucial if the Body is to take on its scrutiny and investigation roles as well as its role in bringing forward new ideas. That will mean some shift in resourcing. There have been a few instances of the use of sub-committees, which the Assembly could do more of. We clerked one of those and provided the report writing and all the support that goes with it. I echo a point that Stephen Rodan made. We now have a range of skills and the devolved Administrations can share some of the load with Dublin and London. We want to play a full part in the work that is being done. I suggest that the way in which resources can be shared out should be an early discussion for the Steering Committee.

My second point concerns the emphasis in paragraph 32 on getting short-term, quick responses to immediate issues. That is certainly a critique of what has happened in the past. I am on Committee B, which has been at one inquiry for at least four years. It is not satisfactory that a report takes that long to come out. However, some issues will last longer than the six-month period between meetings of the Assembly. I would not like more detailed, long-term studies ruled out, where they are needed. People ought to understand that we can take that role on board as well. However, paragraph 32 reflects the current position and the need for us to respond in order to influence the debate not only in the Administrations that we represent but in the British-Irish Council. I echo the view that there should be rapid-response reports from Committees, properly resourced and with more emphasis, but we should not throw out the baby with the bath water and ignore the longer-term, bigger issues, which will be with us for more than six months.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you, Mike, for the offer of

assistance. The Steering Committee needs to look at the different jurisdictions' offers of help, as that could enormously strengthen the Assembly.

11.00 am

Senator John Ellis: Thank you, Co-Chair, for that remark following Michael German's statement. A co-ordinated approach to all the various Parliaments with regard to funding and resources might be very productive, especially in these times, when all Governments are facing questions about funding. There is a need to ensure a proper funding basis for the new Assembly.

Like all my colleagues, I welcome the Unionist representation here. I joined the Body a long time ago, in 1992. At one of the early meetings, I was nearly thrown out by both sides—those who were pro-Unionist and those who were pro-Republican. However, I found out that, when we sit down and talk to people, we discover that some people who are classed as pariahs are anything but; we find that they have the same agenda as many of us, which is to represent the people of our constituencies, irrespective of what those are. There will always be common ground on various developments north-south and east-west. It would be wrong for us to focus entirely on the north-south agenda or on the east-west agenda. The agenda has to be global— north-south and east-west—or someone will end up feeling marginalised. Nobody should feel marginalised, whether they are from Scotland, Westminster, Dublin or Stormont. Everyone is here as a politician. Politics is the art of the possible and it is up to us to make sure that it works.

We need to look at one or two things. We need to look at having debate time in our respective Parliaments for the reports from this Assembly. That would give this Body more legitimacy and power. We also need to see whether we can have an input into the ministerial council. I do not know at what level, but I believe that we have a role in that.

Again, I welcome Lord Maginnis, Jim Wells and David McClarty here today. This is probably the best day that we have had at a BIIPB meeting since I joined in 1992.

The Lord Dubs: I, too, congratulate Alasdair Morgan and his colleagues for the work that they have put into this report. I have some sense of how much effort they have put into it. It has been a big task and they have done an extremely good job.

It is crucial that we do not become a talking shop. I believe that the proposed changes will help to prevent that, but we have to demonstrate not only here but at our Parliaments and Assemblies that what we do is tangible and positive and that we are not a talking shop.

I welcome the Unionists. I have known Ken Maginnis for a long time. I am delighted that both Jim Wells and David McClarty came along to Committee D this morning. Jim Wells knows that I am going to say this, but when I first heard him speak at Stormont, he described himself as being on the green wing of the DUP. I have always

remembered that and I know that he is committed to environmental issues.

I know that Paul Murphy will be very disappointed at his inability to be with us. He was always keen as one of the Co-Chairs on a closer relationship between us and the British-Irish Council. I am sure that he will do his best to come on a future occasion, if we invite him, as I think we should. At the moment, our relationship with the British-Irish Council is difficult. When I give an update about penalty points later today, Members will see that the situation is quite convoluted. We do not have direct access to what the council is doing or an ability to scrutinise and influence it. I have been doing that through one of the officials, which works up to a point—he has done a great job—but we do not have the necessary political contact.

I have looked at paragraph 32. I very much support the idea that Committee reports should be produced quickly from the start of an investigation. However, I am bound to say that six months is pretty tight. In Committee D, we were discussing our next topic. We have already set up two meetings, but to do all the field work, get all the information in and produce an agreed report in time for the next plenary may be difficult. I support the general proposal about timing, but we plan to do our work over 12 months, which I think is the best that we can do. It is difficult to do it faster than that, although I would be happy to be persuaded out of that position.

Lastly, I have found through being on this Body for some years that the personal contacts across jurisdictions are absolutely invaluable. There was a time when no one at Westminster would have been able to phone up someone in Dublin and say, “Hey, how about this?” We can do that now. The personal contacts that have been established across all the jurisdictions are politically invaluable and personally very rewarding. I am grateful to the Body, now the Assembly, for making that possible. Long may it continue.

Ms Joan Burton TD: Like others, I am very pleased that the Unionist representatives are among us today. I am disappointed that Paul Murphy was unable to attend, because I think that we speak in a vacuum without either him or a representative of the Government being present to answer our questions about the governmental approaches to the further development of the Body.

What I have found most useful about the Body are the working papers that deal with the issues that affect the constituents whom I represent. I am thinking in particular of the papers on drugs and immigration that have been presented over the last period. The tectonic plates are shifting in our economies. We are living in a different economic situation from the one a year ago and, when we meet next year, the economies of all the areas and regions that we represent will have changed dramatically again.

I would be interested in a facility to deal with urgent issues, where there may be insights to be shared. For example, in all our areas we will now have tens of thousands of people losing their jobs and coming out of employment. We will have to go back to using techniques for getting people back into work, training and

education. Even in times of prosperity, groups of people in different areas have not been able to take part in the tiger economies or economic progress, but now that will become more pervasive. We will face a situation around these islands in which people will lose their homes through repossession. Again, there is scope to share intelligence and views. We may be able to use the Body as a forum to share insights and mechanisms that the various Governments and legislatures have for dealing with these issues.

I agree with Barry McElduff about Section 6. Because the Unionists have now joined, the reference there is passé.

We are entering an extraordinarily challenging time economically for everyone, but I think that we have an extraordinary opportunity to share views and insights. A lot can be reaped that is potentially of value. Baroness O’Cathain mentioned the length of time that things take. I wonder whether there is capacity to have some sort of urgent issues mechanism, so that some work can be done slightly more quickly and be disseminated, even if just informally.

Mr David McClarty MLA: I am delighted to be here. It was not my intention to speak this morning; I was going to listen and learn. However, my two gardening expert colleagues from Northern Ireland have prompted me to say something. If Jim Wells’s wife was having an association with another gentleman, how they dealt with the hedge would be the least of their worries, in my view. I am not a particularly good gardener. In fact, my gardening skills are non-existent; the only thing that I know is that grass should be green side up.

I differ slightly from Jim Wells. He mentioned the hedge, but I believe that on either side of the hedge there are problems and I very much appreciate the fact that people from both sides can get together to discuss the problems that affect them. That will be to the benefit of us all.

I am delighted that the changes have been made to enable the Ulster Unionist Party to be represented here. I look forward to playing a full and active role in the Assembly in the future. I thank everyone for their very warm welcome.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you, David. The sound engineer is emphatic that, probably without their knowing, someone has their phone or BlackBerry on, even on silent or vibrate. That is what is causing this irritation. I would be grateful if everyone could check.

Mrs Rosemary Butler AM: Like everyone, I welcome the Unionists. I know that this has been said, but it is worth repeating: this is an historic day and it is a great privilege to be here. I pay tribute to the longer-serving Members—I will not call them older— of this Body for the incredible amount of work that they have done over the years to get us to where we are.

We are not just changing the name in this process; we need to change the way in

which we think and act. I am pleased that the report suggests that the Committee work should become more focused. It is particularly good that the Steering Committee will take an overview to make sure that not more than one Committee is dealing with a particular piece of work and to pick up on the fact that another piece of work is falling between stools and is not being dealt with. We talked earlier about the use of language. I know that the newer legislative bodies represented here would be pleased if some work were done on the development and promotion of lesser-used languages throughout the islands.

It is important, particularly in a Body such as this, that we say what we mean and that we listen carefully to what other people say. When I referred to the National Assembly for Wales doing some work on the website, I do not think that I volunteered to revamp the whole thing, Co-Chair. I repeat: we should listen carefully and say what we mean. We will do what we can, but we ain't revamping the website.

It is a privilege to be part of this Body at this time. I hope that we will all take the opportunity to look at things anew and at things that no other body can.

Dr Rory O'Hanlon TD: I welcome the report and am happy with the changed name. The real challenge facing us in the future is to make sure that we have a meaningful role. There is no doubt that, over the past 15 to 18 years, the British-Irish Inter-Parliamentary Body has played an important role in and made a valuable contribution to finding peace on our island. It has enabled us to develop a healthy relationship with our colleagues in Westminster, which did not exist before the Body was established.

Over the years, anyone who was here would have seen the intensity of debate and felt the sense of urgency about what was happening, often an atrocity in Northern Ireland. However, we now have to ensure that we have a meaningful role. We have to be able to find a niche for ourselves, so that we are not just duplicating what others are doing and what they may well have a lot more resource to do.

I very much welcome Michael Mates's proposal that we write to the BIC. I also welcome Lord Glentoran's list. It is important that we refine that list to ensure that we concentrate on the issues that affect the Members of the two sovereign Parliaments and the devolved Parliaments and Assemblies. With that in mind, I suggest that, given the numbers that we have now and the fact that we have only four Standing Committees, we should establish, certainly in the short term, a Standing Committee— perhaps the one that drew up this report, along with other Members—to look at how we can find issues that are specific to the different Parliaments represented here and to ensure that we have a meaningful role into the future.

11.15 am

Mrs Joyce Watson AM: I reiterate the welcome given by all Members who are here

today. That is where I want to start from, because I think that, if we do anything, we must add value. We will add value only if what we do is transparent and accountable and has unity of purpose. That is something that this Body has done extremely well. We all understand that this is an historic day and that, in the context of history, borders are man-made. Recent events show that, although it is important to define jurisdictions of government, those jurisdictions are not resistant to the effects of change in a global economy. That is a good starting point for us all.

I think that everyone agrees that we should not offer another layer of government—in other words, more government. We are uniquely placed to offer smarter government. As long as the focus is on smarter government and smarter ways of working, we will keep credibility. That should be our concern. Our organisation has massive credibility. We can look at some real issues, but history will tell us that one that we should have been looking at a long time ago is food security, which will impact on all of us in equal measure, given the financial situation that we are in. That is where we will have credibility and where we can add some smarter working.

The Lord Maginnis of Drumglass: I look round as perhaps one of the more ancient Members and I see a lot of equally old faces and old friends. It is good to be sitting here. I reflected when I sat down on the fact that the British-Irish Inter-Parliamentary Body was established in 1990. If people wonder why I was not here in those days, I can tell them that it was because Unionism felt that it had another battle to fight. We felt that we were perhaps misunderstood and that we had little security. We were not going to come to a Body that we felt would force us forward in a way that was not suitable. Those of us who, metaphorically speaking, stayed at home worked for the next 10 years—it is now 18 years—trying to establish a degree of harmony in the house. It is appropriate that we should come here now. I am sorry that everyone else got it wrong and did not come to County Down but, none the less, I am glad to be here.

Perhaps I may pick up the metaphor of the hedges. Friend Wells was saying that he had not had his hand shaken so often since the day he was married. I always found that, when my hand was shaken to that degree, I was usually receiving a vote of sympathy. I think that things have worked out better for Friend Wells and that this Body will work better for us all now that we are here together.

I share the reservation voiced by Detta O’Cathain about whether we are suggesting that this Body should become an interlocutor between the BIC and the parent Parliaments. That must not be attempted. Members of the BIC will report directly back to their own parliamentary Committees and plenary sessions. There is a tendency in all Parliaments—it happens in the one that I am in—to rush in with tunnel vision towards finding a solution. Perhaps this Body can take a more panoramic view and feed that in. Barry McElduff mentioned health planning and education. I believe that we from Northern Ireland will be able to learn a great deal from Members from elsewhere, but I suggest that one part of our island might be able to learn a little from us on health. So far, we do not plan to have 120,000 70-year-olds without full medical insurance. I say that only because I am 70.

On the subject of hedges, I say sincerely that the best hedge between two neighbours is the one that is properly trimmed.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you, Ken, and thank you to all those who have contributed. I know that the Secretary of State for Northern Ireland is sorry that he cannot be here to address us. I call my Co-Chairman, Niall Blaney, to say a few words.

The Co-Chairman (Niall Blaney TD): Thank you, Peter. Like other Members, I very much welcome the Unionist Members here today. I agree with Barry McElduff that we should look again at Section 6(f). I thank all the members of the Steering Committee for the work that they have done and the Oireachtas for producing Document 137.

The document touches on the ideas that we have talked about this morning. It is worth going through it with a fine-toothed comb. I am sure that it will jog everyone's minds and give them ideas about where the Body should be going. I ask everyone to respond to it sooner rather than later, as the Body needs to move forward at a fairly fast pace. We should not be like some of the Committees and take six months or more to decide on reports. I ask anyone who wants to input their ideas to report back to the Steering Committee in the next month to six weeks. Members should sit down and put their ideas in writing. Let us give this one good thrash, as I feel that the Body needs a new focus and a new sense of purpose. There are plenty of ideas out there to give us a new focus and no end of areas—whether it be tourism, drug-related issues or migrants—in which we can share ideas and work together. We all share these islands and we need to share our ideas. In that way, we can all move forward. I ask everyone to give Document 137 a thorough looking-through and to forward their ideas to us sooner rather than later.

The comments have been very positive in this morning's exercise on moving forward. The two clerks are keeping a note of what is coming forward and the Steering Committee will look at all those ideas.

Question put and agreed to.

Resolved:

That the Body shall henceforth be entitled the British-Irish Parliamentary Assembly and be governed by the rules contained in Document 136.

INTELLIGENCE RELATING TO THE OMAGH BOMB

The Co-Chairman (Rt Hon Peter Hain MP): We proceed to agenda item 3, with the assistance of whoever's mobile phone that that is.

Rt Hon Michael Mates MP: It must be yours.

The Co-Chairman (Peter Hain MP): No it is not. *[Laughter.]* Thank you for that, Michael.

I call Andrew Mackinlay MP to move the motion and open the debate.

Mr Andrew Mackinlay MP: I beg to move

That the British-Irish Parliamentary Assembly calls on the United Kingdom Government to disclose immediately to the legal counsel of the families of the victims of the Omagh bombing, details of, and all information relating to and arising from, the request made by the RUC to GCHQ, for surveillance of those subsequently suspected of preparing and carrying out the atrocity in Omagh a decade ago; including transcripts and timelines.

I am proud to move the motion, which I believe is the first original motion to be brought before BIIPB, under its Standing Orders.

I thank Brian Hayes TD for working with me to get over the hurdle of obtaining 15 signatures from at least three Parliaments to allow the motion to reach the Order Paper. It is an important issue in my submission to the Body.

Over the course of the conflict, which lasted a quarter of a century, countless indiscriminate atrocities were carried out that were equally devastating to the victims and the families involved. However, the scale of the Omagh bombing was different; 29 victims and two unborn babies perished in the atrocity, which happened at a time when men and women of goodwill were seeking reconciliation to the conflict. No successful criminal prosecution has been made yet. The families look to the democratic and judicial process for some remedy to their daily heartache at the loss of their loved ones. There has been a failure in our criminal justice systems, because there has not been a successful criminal prosecution in either the United Kingdom or the Republic of Ireland.

Recently, the BBC programme 'Panorama' indicated that the Royal Ulster Constabulary had asked for the security intelligence services in the UK to do surveillance on some individuals, which has prompted this call for the British Government to do the right thing. Almost two weeks before the Omagh atrocity, a comparable outrage had been attempted at Banbridge that was, fortunately, thwarted. The RUC requested that some individuals be pursued as a result of that. We need to know whether that request was adhered to, and if not; why not. If the request was met, we need to know what it revealed and whether the atrocity in Omagh could have been avoided or minimised. We also need to know why, almost two weeks after the atrocity, there was a grudging concession by the security intelligence services to the RUC investigatory team that there had been some surveillance.

The issue that we face is how to help the families who have not seen any successful

criminal prosecution and who have, on their own brave initiative, taken action in the civil courts. The families are entitled to full disclosure of any information that is held by any agency of the United Kingdom Government and any agency in the Republic. National security has always been the excuse for not disclosing the information but, in this case, I do not accept that excuse—it is an easy option. I suspect that a tug of war is happening in Whitehall between those who support my view and those who resist it. I believe that those who are resisting it are doing so because their stewardship and management of the matter was flawed.

Ten years have elapsed since the bomb, and it is even less credible that the national security excuse should be an overriding one. If anyone here were to withhold evidence, we would, rightly, be accused of perverting the course of justice. I cannot see why that charge should apply to us but not to another Government agency.

11.30 am

The second excuse that has been advanced is that, according to United Kingdom law, telephone tapping is inadmissible evidence. How such disclosures are used is a matter for the legal teams representing the victims' families, but the disclosures must be made available to them. The surveillances involved more than telephone tapping—the people and the car involved were also watched. The disclosure of information or transcripts of what may have been listened to by Government Communications Headquarters (GCHQ) or other security intelligence agencies may help to identify the perpetrators of the outrage. Had such information been disclosed earlier, it may have helped to secure a successful criminal prosecution. It could now assist in the civil action that the families have brought, bearing in mind that the civil action is not a tested “beyond a reasonable doubt” but “on a balance of probabilities”.

Prime Minister Gordon Brown has acknowledged that the matter of the additional information must be considered and has referred it to the United Kingdom Information Commissioner, but he is missing the point. The Prime Minister has referred the matter to the Commissioner to find out whether there has been bad stewardship, bad handling or poor management of the issue, but that does not satisfy the families. Time is limited; the period where their civil action is before the courts will soon expire. The families need the disclosure now.

It is not unreasonable to expect that this Body add its weight to attempts to persuade the British Prime Minister to use his power to instruct the security and intelligence services to provide a full and immediate disclosure. It is no exaggeration to say that a cry from the grave is asking us—among others—to intervene, and ask the Prime Minister to act in accordance with our request. There are extraordinary circumstances. If the Body passes the motion— as I hope it will—the offices of BIIPB, including the Co-Chairmen, must pursue the issue with Gordon Brown immediately. I invite colleagues to support the motion and, in doing so, to support the Omagh families.

Mr Brian Hayes TD: I formally second the motion, and congratulate Andrew Mackinlay MP for his work on the matter and for raising it as an emergency motion for deliberation at this plenary session.

I thank the TDs and Senators in Oireachtas Eireann who signed the motion on a crossparty basis approximately 10 days ago. As Andrew said, the 'Panorama' revelations were very significant. There is no need for BIIPB to reach a view on those until it hears back from Sir Peter Gibson, who was appointed by the Prime Minister to steward the internal inquiry into what did or did not happen; who was or was not informed; the mistakes that were made in the investigation; and the information that was not shared by members of the intelligence community and was not provided to the police investigation at the time. That is for another day. Much will be said about that when we receive the full report on which Sir Peter Gibson is currently working.

The crucial issue is the civil action that is before the courts. Closing submissions in the case are likely to begin on 24 November 2008. That action has been going on for quite some time. Initially, the funds that allowed the action to commence were provided after a newspaper campaign took place in the United Kingdom. The British Government then decided to financially underwrite the civil action on both sides. We are where we are regarding that particular case; it is likely to come to a conclusion in the courts before the Christmas recess.

For the first time under EU regulation, evidence that was given by the legal teams in the Dublin district court last week is admissible in the ongoing High Court case in Belfast. It is a unique action on a cross-border basis that involves two courts in two separate jurisdictions, and it is crucial regarding what it is trying to achieve.

The key aspect is that if new evidence can help in the prosecution or the defence of the named suspects, that new evidence could still be presented to the court in Belfast before the closing arguments are made on 24 November 2008. The legal status of the gathered material is governed in the UK under the Regulation of Investigatory Powers Act 2000 (RIPA). That is important because intercept material from the intelligence community cannot be used in a criminal case, but it can be used in a civil case.

It is inevitable that much of the intelligence will come from the Irish Republic, because the suspects—and the cars that they used in the atrocity—began their mission there. The question mark over the RIPA legislation is dubious, given that the intelligence was gathered in the Irish Republic. We will return to that question on another day.

We ask this body of parliamentarians to support the efforts of the families to put pressure on the British Government to release the Omagh tapes and to help all of the legal teams by providing any new evidence that could be put before the courts.

When the bombing in Omagh happened, I had been a member of Dáil Éireann for

little more than a year. I remember the great political urgency in the Oireachtas and at Westminster following that atrocity not only to bring the perpetrators to justice, but to change the criminal justice laws dramatically in order to make it easier to bring the perpetrators of other such atrocities before the courts.

That urgency has been lost, and the bereaved families of Omagh have been treated badly. More could have been done to help those families, and more must be done. It is an absolute disgrace that 10 years after the worst atrocity in the Troubles, the Omagh families are still seeking justice from their Governments. It is astonishing that the Irish Government have not been more forthcoming, and that they have not made stronger appeals for information that would assist the civil action. I ask colleagues to support the motion and send out a signal of strong support to the Omagh families, who need our support and who have been so badly treated over the past 10 years.

Lord Maginnis of Drumglass: Andrew Mackinlay knows that I hold him in the highest regard. He is a humane individual with a social conscience and he sticks with a cause, as we have seen in the past. I have supported him all the way down the line. However, what I will now say will disappoint him.

Several issues must be borne in mind. A war is being fought against international terrorism and those who are responsible for the collection, collation and dispersal of intelligence must not be faced with a situation in which a precedent is created. I know many of the Omagh families and have huge sympathy for them. That is in the past. In future, an atrocity may happen in New York, Bali, London, Madrid, or somewhere else untouched by violence as yet. We must give our intelligence sources a degree of security so that we do not, in the longer term, undermine what is necessary for the protection of our country, of Europe, and of our soldiers abroad, whether they are on peacekeeping duties or otherwise.

This huge mistake or error of judgement—whatever it was—must be sorted out by those who are responsible for intelligence and by the police. I acknowledge fully the good intentions of the Members who proposed the motion but, however good those intentions are, it is not a matter that we politicians should become involved in. On this occasion, I plead that our heads rule our hearts. I know where my heart lies, but my head tells me that my heart is wrong.

Whether or not we consider what is proposed in the motion, there are several issues on which I will stand four-square with Andrew Mackinlay; I have done so in the past. I will not, and did not, agree to increase the period of detention without trial to 42 days. We have talked about this body acquiring a degree of maturity and perhaps I am opposed to 42-day detention because I have acquired a degree of maturity.

Furthermore, I am opposed to the idea that GCHQ might undertake to listen to every mobile telephone call that is made and every email that is sent. In 2008, such a '1984'-inspired syndrome is unacceptable. As politicians, we should fight against

such measures; however, we should not undermine actions that are necessary to protect our country's and other countries' security. We sometimes regret things that have happened; I regret Bloody Sunday in Derry, although the £260 million that was spent on an inquiry did not help a single victim. Similarly, undermining present-day security will not help a single Omagh victim.

Mr Charlie O'Connor TD: Although I am sensitive to the fact that I am following an excellent speech from a man whom I greatly admire, he must appreciate—and I hope that he will not mind—that I must deliver the speech that I originally formed in my head. Nevertheless, I suspect that he and others would have expected me to do that anyway.

It is great to be here because, as Jim Wells said, it is an historic occasion. Regardless of whether historic should be spelt with a big or a small “h”, our unionist colleagues' attendance—particularly for this discussion—is historic.

I was delighted to respond positively to Andrew Mackinlay's request to contribute to this debate and am pleased to join my constituency colleague Brian Hayes in supporting the motion. It is important that much of this morning was spent discussing the Body's future, and that those discussions were positive. People always say that it is time to move on; however, we cannot ignore our history, and the Omagh bombing is part of the past that we must deal with. I repeat Brian's point that, despite our wish to move on and to maintain the bridges that we have built, we must not forget our past.

Despite my concentration on domestic politics, in my constituency—Brian and I live in Tallaght, in Dublin—*[Laughter.]* I am glad that some of you have heard of it.

When going about my business, I notice that people are discussing economic matters; they are not preoccupied by the Omagh bombing. People in my constituency talk about medical care and medical cards; they do not stop me to talk about Omagh. However, I suspect that people throughout the island of Ireland remain concerned about what happened in Omagh. As with many other historical events, everyone remembers where they were on that fateful Saturday afternoon—I certainly do.

11.45 am

Recent reports regarding how the bombing came about are upsetting to those who seek to represent community interests. I have often said that I marvel at the fact that my colleagues from Britain and Northern Ireland can go about their politics in the same way as I do mine, by dealing with local issues, among others. I thank God that those days are past and that we live in more enlightened, though challenging, times.

Many Members have said that security challenges remain and that there are reports of dissident attacks every other day. However, I hope that the BIIPB will unite in

support of the motion; I say that with all due respect to Lord Maginnis. I believe that the public want us to press ahead and deal with the issue. I, and others, will continue to voice our concerns in the Irish Parliament—I am happy to do so. That is the message that should go out from the British-Irish Interparliamentary Body. I support the motion.

Mr Dinny McGinley TD: I compliment Andrew and Brian for tabling the motion. At the very least, it provides an opportunity to discuss the Omagh atrocity.

Over the 30 years of conflict in Northern Ireland, there were many atrocities that wrought untold grief, sorrow and heartache on so many families and communities there. Those feelings remain raw and will take many generations to heal. Most people will agree that the most callous and savage of those atrocities—the one that shocked the world—was the bombing of Omagh on 15 August 1998. The barbarity and savagery of that attack shocked us all, as did the 31 fatalities—that is; 29 people and two unborn children—that resulted from it. So many people of all ages, including women, were injured, maimed or blinded for the rest of their lives.

The attack was committed on a date that means a lot to constitutional Nationalists in Northern Ireland. I know that my Unionist colleagues—whom the British-Irish Parliamentary Body is delighted to see here—are aware that August 15 is almost the equivalent of 12 July for them. Unionists unfurl their banners, bring out their bands and stage their marches on 12 July. I come from the Ancient Order of Hibernians tradition in Ulster, which straddles the border; I do not come from the Sinn Féin tradition. The AOH is a Nationalist, constitutional, peaceful organisation.

I remember going to church on 15 August as a young boy, coming home and getting into a Morris Minor car in which my family travelled to Dungloe, Lifford, Donegal town, Derry, and sometimes on to Maghera, where I attended my last AOH parade in 1968 or 1969. That was an important day for me. We marched and wore sashes—green being the predominant colour—and were no more sectarian than unionists. It was a day out; speeches were made that were enjoyed in peace.

Rory O’Hanlon knows our national precedent well; James Dillon, a great constitutionalist, whose father was a Member of the House of Commons and the last leader of the Irish Parliamentary Party, and whose grandfather, John Blake Dillon, was a founding member of the Young Ireland movement back in the 1840s. James was our national precedent, so 15 August was a hallowed date on our calendar, and it was probably chosen deliberately by those who carried out that unspeakable atrocity.

Five of those who were killed had travelled from the co-chairman’s own constituency in Donegal; three were from Buncrana and two were visitors from Spain. I remember attending a church service in Buncrana in the aftermath of the tragedy, along with almost the entire Northern Ireland Executive. The former Prime Minister was there, as was Lord Trimble and many other members of the Executive, and we were all brought together. I believe that Omagh was a watershed as far as atrocities are

concerned. There are many families in Omagh who have yet to find closure and finality. After 10 years and all of the efforts from people on both sides of the border and from the UK, we have not come up with a solution. Although people have been charged, no one has been found guilty. There are certainly shortcomings there.

I have listened carefully to what Ken Maginnis has said and I know that he is as anxious as anyone else here for the perpetrators of that atrocity to be put behind bars, where they should be. I know that he has always been a bulwark against international terrorism and other such issues. I understand why Andrew and Brian have proposed the motion; the families have been left hanging in the wind. They have suffered, and have achieved no finality. I hope that the motion will not divide us, because we all have the same aim and objective of bringing the people responsible to justice.

Several other incidents with a cross-border dimension have since occurred; Dennis Donaldson was killed in my own constituency, and not so long ago a young man from Strabane was killed in a graveyard in Castlefin. In fact, I had been in Castlefin that very morning attending a funeral, and the incident happened that evening.

I welcome the motion, because it gives us an opportunity to discuss the issue. Hopefully we will never experience anything like that again. I also believe that the motion will bring some solace to the victims' relatives in Omagh, Donegal, England and Spain—at least they will know that what happened has not been forgotten and that we are all trying to bring finality and conclusion to their grief.

Mr Dave Anderson MP: I welcome everyone to Tyneside. Had we went to the Marriott Hotel in Gateshead, Ken would not have got lost and we would have been spending money in my constituency rather than someone else's—so, you know where to go next time. I agree fully with the motion proposed by Andrew. I attempted to sign it as an associate Member of this organisation; perhaps the bureaucrats can advise whether that is right or not.

I enforce what Brian Hayes said: this is about the families. For the past three years, a member of the Northern Ireland Affairs Committee (NIAC) has met people—in particular, members of the Quinn and McCartney families—who have gone through things that most of us will, thankfully, never experience. Both families feel frustrated and abused by a system that has allowed people to shut doors in their faces. Other politicians and I have challenged representatives of the people who, we believe, are allowing the murderers of Paul Quinn and Robert McCartney to hide. Unfortunately, there is a view that we, as politicians, use the excuse of national security to allow the Government to conceal facts that may give those families some solace and comfort.

I accept what Ken said and that he has a better knowledge of national security than I ever will. I do not know whether national security will be breached if that information is produced. If nothing else, we, as body, can agree on the motion. If this body means anything, the Government should be prepared to explain—in camera, if needs be— why they cannot provide that information. As politicians, we get such

briefings all the time. During private sessions of the NIAC, we hear evidence from senior politicians and senior police officers from Northern Ireland and members of the Garda Síochána that, clearly, we will not divulge.

We should call for as much transparency and light shining on the issue as possible. If nothing else, that will provide the people—who have been abused for so long—with a chance to see that we are on their side. If we cannot do that, we should not be doing this job.

Mr Sean Neeson MLA: I welcome the opportunity to discuss the issue. Last Tuesday, in the Northern Ireland Assembly, David Ford of the Alliance Party proposed the following motion, which was supported by the Assembly:

“That this Assembly calls for the establishment of a formal, cross-border, legally binding process, designed to secure full disclosure from the Intelligence Services and Security forces in the United Kingdom and the Republic of Ireland, to establish what relevant information they had before, and immediately after, the attack which killed 29 civilians on 15 August 1998.”

On 15 August 1998, I was in Dublin with my family. The enormity of the atrocity soon became very apparent. I arrived home that Sunday and, on Monday, I visited Omagh. The images of that day will remain with me until the day I die. I have met the families affected on several occasions and I realise the hurt that they feel. The families feel that there has been a gross miscarriage of justice and feel very much let down by the security services in the North and in the Republic of Ireland. They also feel let down by the Governments in London and Dublin.

The revelations of the ‘Panorama’ programme must be dealt with. The Omagh families are seeking closure, which cannot be gained until all the evidence and facts are disclosed. It is vital that the motion is passed, however, it is more important that both the London and Dublin Governments take action.

12 noon

Dr Alasdair McDonnell MP, MLA: Much has been said about the motion. Nevertheless, I feel the need to throw my weight behind it, because the cases of those murdered at Omagh and the victims left behind are crying to heaven for justice. We cannot, and must not, provide cover for murderers, particularly those who perpetrated that awful atrocity on 15 August 1998.

There is little need to repeat the background, but the fact is that 29 people and two unborn children died while many others were injured in a wanton act of vicious destruction and murder. Lip service is not enough; those families need every support and assistance.

The criminal case that was taken did not work; the families have now taken a civil action and require assistance in pursuing that. Those families are decent people who are seeking justice and I find it difficult to understand why, if information is available

that could help those families, it is being withheld. There must be a great deal of justification for that information to continue to be withheld.

If I or anyone else in this room had information—from either jurisdiction—pertaining to the circumstances in Omagh, we would, rightly, be prosecuted and held in contempt of court. The British Government must make all information that it possesses available and if there is any collaborating information in the Irish domain, that should be made available also. All that information should then be collated; justice demands that that should happen. Although the protection of sources can be justified in some circumstances, such protection is overrated and there must be some justification for it to be granted.

As Dave Anderson said earlier, evidence could be heard in private or via a video link. The Omagh families deserve justice and I join those who want to see that happening. Therefore, I urge this body—or Assembly, as it is now—to do all that it can, individually and collectively, to ensure that those unfortunate victims and those who were left behind after Omagh receive closure and satisfaction. That will ensure that they are not left feeling that society in general, and Governments in particular, are indifferent to their plight.

Mr Barry McElduff MLA: Go raibh maith agat. I support the motion, and am grateful to Sean Neeson for reminding us of the exact wording of the motion tabled in the Northern Ireland Assembly last Tuesday.

I am a MLA for the constituency of West Tyrone, which covers the two principal towns of Omagh and Strabane. I attended Omagh Christian Brothers Grammar School for seven years. My constituency office is in Omagh. I knew several of the people who died in 1998 and many of their families, whom I still know. As Dinny McGinley said, 2008 is the tenth anniversary of the Omagh bombing.

As has been mentioned, the tragedy most directly affected people in Tyrone, Donegal and Madrid. As well as the 29 people and Avril Monaghan's unborn twins who were killed, many more people were injured, physically and emotionally, and still live with the bomb's legacy.

I generally support the notion of a truth-recovery process. Events in the North of Ireland during the last 30 years of the twentieth century resulted in victims on all sides, all of whom are equal and deserve truth and justice. Certainly, the case of Omagh would loom large in any such process. My party colleague Pat Doherty, MP for West Tyrone, is in regular communication with the Omagh Support and Self-Help Group. Some of the victims' families are organised under that name. Only an independent inquiry could command their confidence.

I want to put on record the role that was played in August 1998 by the health professionals at the Tyrone County Hospital in Omagh. The Body should record its appreciation for the doctors, nurses and other health professionals who healed many people and attended to those who were dying and injured on that day.

Lord Smith of Clifton: I was able to raise £20,000 for the families' fund to kick-start the case before the British Government took up the costs. If ever there were an issue that the Body should discuss, surely the motion is it. I congratulate Andrew Mackinlay and Brian Hayes for their efforts to table it; it is absolutely vital.

As Brian Hayes said, time is of the essence. There are a few months left before the matter can, hopefully, reach a successful outcome. That is important. It is likely that the motion will be passed. In the winding-up speech, I would be grateful to hear that the Co-Chairmen will prosecute that with extreme urgency and with great emphasis, and will not be palmed off with notions of state security. I accept Ken Maginnis's argument that there will be times when state security is of supreme importance. However, this is not one of those occasions; the matter must be prosecuted now.

During the current session and previous plenaries, the Body has contemplated its navel with regard to what its future role should be. If the Body does not speak up on that issue forcefully and with a single voice, I would wonder what its purpose is.

Mr Alistair Carmichael MP: I add my voice to those who have commended Andrew Mackinlay for his efforts to bring the motion before the Body. He is known in the House of Commons as a man of both high principle and great tenacity. I am delighted that he has brought that approach to the Body.

I find elements of the entire sorry saga deeply repugnant on both a personal and political level. In my early days as a criminal court solicitor—before I entered the House of Commons—I worked with the Crown Office and Procurator Fiscal Service in Scotland. I was trained in an ethos that stated that it was our job to bring existent evidence before the courts and not to make value or legal judgements on that evidence. It is abhorrent for evidence to remain undisclosed; if that evidence is held by public servants, it is doubly abhorrent for it not to be disclosed.

An argument was advanced earlier regarding the possible admissibility and application of the Regulation of Investigatory Powers Act. We have courts to judge on the question of admissibility. It is not for Governments to second guess the courts on such matters, and any inadmissibility should not be used as a barrier to disclosure.

Ken Maginnis spoke about creating a precedent that would undermine national security and, as Trevor Smith said, there are occasions when national security must trump the wider public interest. However, as Trevor also said, this is not one of those occasions. No one has established a causal link between the precedent that would be set and the undermining of national security. A lack of confidence in the security services can undermine national security, and that lack of confidence and uncertainty is created by questions such as these not being answered. Such concerns about the integrity of our security services are an argument for the disclosure of evidence rather than for non-disclosure.

Ken Maginnis is absolutely right that nothing that would be achieved by disclosure

would help the victims because they are beyond all human help. However, the families of those who were killed are also victims. As with other Members, I have met many of those people. It is difficult not to be impressed by their determination and dignity in tremendously difficult times. Those people have been failed by the criminal justice system. Indeed, it may emerge that they were also failed by the security services.

The civil case that is before the courts is very much a poor second best for those people, but it is the only available opportunity for them to achieve closure. It is incumbent on all who care about these matters to ensure that those people are given every opportunity to establish their case to the fullest possible extent.

Mr Chris Ruane MP: I, too, thank and congratulate Andrew Mackinlay for securing the debate, with the help of Brian Hayes.

I start from the same premise as most people here, which is that justice is not being done and is not being seen to be done. If the security services in the UK, Ireland and Northern Ireland hold any information that would help the families to receive justice, that information should be given to the families and the courts for full public scrutiny.

I am not sure whether I understood Ken Maginnis correctly when he said that there was a huge error of judgement. I do not know how that is known, if the matter has not been looked into. However, if we accept the premise that there was a huge error of judgement, we cannot simply leave it at that. We would not be undermining the security services if we looked into the case; it may be that we could actually improve them.

The information must be disclosed for two reasons: the first is to give justice to the relatives and loved ones of those who died or were injured. If the security services have information about who they were following and what those people said, they must hand over the transcripts and state where those people went before and after the bombing.

The second reason that the information should be disclosed is that it may help to improve the security services. Ken Maginnis said that doing so may set a precedent. However, there have been other times when the security services have made a botch or a huge error of judgement and have had to go to court and admit that fact. An example of that is the case of Jean Charles de Menezes, in which an error of judgement was made. The security services put their hands up and said that they had made a mistake and told exactly what had happened. The security services were not undermined; they will be stronger as a result of that incident. The information should be released and perhaps there should be an inquiry into the role of the security services in not preventing the terrible tragedy.

12.15 am

The Body should make representations to the UK Government, the Northern Ireland Assembly and the Government of the Irish Republic. We, as individuals or groups from those constituent bodies—whether that is the UK Parliament, the Oireachtas, the Welsh Assembly, the Northern Ireland Assembly or the Scottish Parliament—should amplify the voice of the Body and, take back those representations to those Assemblies and those constituent parts of the Body to make representations from those bodies themselves. A powerful example would be if Andrew were to lead a deputation composed of representatives of all political parties from the House of Lords and the House of Commons to see the Prime Minister and make him aware of the huge support for pursuing the issue.

Baroness Blood: I will be brief. One of the saddest things about Omagh—and I remember the horror of that day well, as do we all—has been the fact that we have a group who have been affected personally and who have gone around like a bunch of beggars trying to get this person and that person to support them.

Those people have tried to raise money, have gone down different avenues and have taken private cases and were almost at the end of themselves, and all of a sudden there was a television programme stating that there was information and that the bomb need not have happened. Can anyone in this room imagine what that must have been like to discover—even the hint of it, whether or not it is true. I cannot imagine how the people in Omagh who are trying to raise this issue have lived with that.

As many of you know, I live in the Shankill. There was a huge bomb in the Shankill in 1993 and, even now, there are people who are affected by that. In the case of the Shankill bomb, the people who were killed and their families knew who had perpetrated it. Can we put ourselves in the shoes of this group of people who seem to be facing closed doors everywhere they go. It is one of the saddest things that I think you can take.

I take Ken's point about security; of course we need strong security, but I do not think that that is relevant in this situation. The evidence must be released, and that must be done quickly, in light of the ongoing court case. My other memory of the Omagh bomb was the fact that Tony Blair, Bertie Ahern and the President of the United States left a single message with the people of Omagh: that no stone would be unturned. The evidence is another stone that must be turned over. Let us support the motion and get that stone turned.

Lord Glentoran: I have a lot of sympathy for what Ken Maginnis has said; however, I support the motion. I believe that one can go too far in protecting the security measures that are in place. To me, and to others who are outside the security services, it is quite clear that there was — if I may use such language here — a total cock-up on the part of the communicators between GCHQ and the RUC. The Secretary of State must get his colleagues together and agree to bring the fact that that happened officially into the open. Having done that, protection of security cannot be given as a reason for failing to say what the perpetrators of that crime did

and where they were.

We do not need to know anything about the operations of GCHQ that is not public knowledge already. We do not need to know the sort of cover that the RUC had or did not have in place. All that is necessary is that Her Majesty's Government admit that there was a mistake — a very, very serious mistake — and then come out from behind the screen and say in very simple words that which is known as fact.

Mr Jim O'Keefe TD: Before I directly address the motion, I must deal with two issues that emerged during the debate. In my view, neither issue should deter us from supporting the motion. The first is the reference to an independent public inquiry. I do not think that we need to get into that issue. I take on board Ken Maginnis's point about the £260 million that was spent on the Saville Inquiry. A couple of tribunals are currently under way in Dublin, one of which has been running for about 15 years at this stage. Therefore, if one is looking for a ready answer, I can say only that there are problems associated with public inquiries and tribunals.

The second issue was also raised by Ken Maginnis; the need to protect intelligence sources. When I was a young solicitor—and indeed, a young politician—I was in awe of intelligence in many ways. The feeling was that we all had to bow down and close our mouths when any question came up where intelligence had decreed that such and such was the case. However, over the years, I have come to the conclusions that, from time to time, intelligence has not been that intelligent—and I am not just talking about weapons of mass destruction or otherwise.

The specific issue is whether there should be a blanket protection of intelligence sources when there is another compelling demand for such sources to be upfront and disclose whatever information may be available to them. As regards the case of the Omagh bombing, there is an absolutely compelling argument for all relevant information to be made available. Like others, I fully support the call for such information to be made available now; it is important that there is no shilly-shallying, no setting up of tribunals, no hiding behind any mask or shield of protecting state security. There is an absolute compelling case that the full information be made available. The case is under way, and it is to be decided very shortly, so that information should be made available and made available now.

A good point was made about the processes. The judicial system has processes through which sensitive information can be released without either contaminating the source or endangering it in any way. Those type of processes could be put in place here. This is the first meeting of the new Assembly as it were, and I am delighted that we have an opportunity to debate the motion that has been proposed by Andrew Mackinlay and seconded by my colleague Brian Hayes. We can make ourselves fully relevant by passing this motion, and then follow up on it by demanding, in so far as we can, that the terms of the motion be implemented straight away.

Rt Hon Michael Mates MP: I agree with most of what has been said this morning. It

has been an excellent debate on a subject that it is quite properly been raised and discussed by this assembly. My only issue is with the wording of the motion. Sean Neeson, and others, said that we must urge everyone to try to sort out the desperate matter. More than one Member said that both Governments must be urged to redouble their efforts. Other Members said that all the facts must be revealed, and I shall return to that in a moment, as I am afraid that I do not agree with that.

When we debate such matters, we must take great care not to make incorrect statements. I have been sitting on the Westminster Intelligence and Security Committee. It is not a Select Committee, but it is as near as damn it to one. It is a special Committee. May Blood quite rightly said how shocking it was when 'Panorama' produced that programme. However, I can tell this Assembly that some of the programme was inaccurate. That shocks me in the same way that the programme shocked Baroness Blood. The inaccuracy doubled the stress caused. It has not yet been resolved and we must try to find a way to do so.

Chris Ruane said that the security services put their hand up to the shooting of Jean Charles de Menezes. The security services had nothing to do with that. It was the Metropolitan Police. It is extremely important that we do not mistakenly make inaccurate statements. No blame was attached to the security services of GCHQ, SIS and MI5 in that case; it was entirely a police matter. The police got it wrong that day. There may have been errors by any or all of the above in the Omagh case, but the way to determine that is through judicial means.

Jim O'Keeffe referred to the judicial system in the United Kingdom. According to that system, any issue about disclosure goes before a judge, who then decides on its relevance—that is not decided by politicians or Government Ministers. If a judge decides that something will be disclosed in a court, either in camera or in public, the Government can appeal that decision but, in the end, they must comply with it. I am sure the same rule applies to the Irish Government because they are subject to the law, just as we all are.

Therefore, what I take issue with—and I hope that Andrew will accept this in the spirit of the debate—is that the immediate disclosure of all relevant Security Service information to the legal counsel has never happened before, and I am not sure whether it should happen for the first time in this instance. If the legal counsel believe that they need to see such information, they go to the judge who can demand to be shown it and will then decide whether it is relevant. I would much rather that that is done judicially rather than ministerially, because there may be information that some people would prefer were not disclosed. We in the United Kingdom put great faith in the independence of our judiciary, and that is where such issues should be decided on.

I would be extremely happy to see a motion urging both Governments, all the security services and the police forces to come together to try to sort the matter out. I am not happy with a motion that simply requires one part of the United Kingdom

mechanism to disclose information to lawyers rather than to a judge.

When a bomb goes off or someone is assassinated, a cry usually goes up that the security services, the police or the army have failed. In a sense, that is always true. However, there are successes, about which we never hear. Lord Smith and Alistair Carmichael said that the disclosure of surveillance information on the Omagh suspects overrides national security—with the greatest respect, they do not know that. They can say that because they want the motion passed, but will only be rhetoric. If the method of surveillance in the Omagh case is still used to gather information about unknown terrorists, it would be enormously damaging to disclose its detail.

There are other ways that to divulge that information without disclosing its source. However, those ways do not include giving the information to a bunch of lawyers, regardless of who they are and the side the argument that they support. That is something for the independent judiciary, and them alone, to decide on. If we try to change that, or urge the Government to change that, we are politicising our judiciary, which would be of no service whatsoever to the people who we are trying most to help.

12.30 pm

Mr Seymour Crawford TD: The debate might have been easier to reply to, but for that last comment.

As someone who has been in constant touch with the Omagh families, I know that the situation is still very difficult and the wounds are still very raw. The Omagh families want closure and are extremely active in trying to get that. As Baroness Blood said, they went around everywhere with a begging bowl.

Andrew Mackinlay proposed the motion and said that there has been failure because nobody has been prosecuted. He also mentioned the 'Panorama' programme and that it had brought forward information that had not been in the public domain. He said that there must be full information disclosure by the Government to the families of the Omagh victims, so that they can get the maximum benefit from the independent court case that they are involved in. He finished by saying that the motion was a cry from the grave for closure in the case and to get people behind bars. Those were not the words he used, but that is how I interpreted what he said.

Brian Hayes, who seconded the motion, emphasised the urgency of the case and that the surveillance information is required by 24 November. He also said that the case is unique in that it is being held on both side of the border.

Brian knows as well as I do that the car that was used in the bombing came from my own county of Monaghan. At the time, there was an emergency change in the law to deal with cases such as the Omagh bombing. However, as far as the Omagh families are concerned, the urgency of that investigation has, unfortunately, slipped back and

must be reactivated.

Ken Maginnis raised the issues of security and argued that releasing the information could amount to a huge error of judgement. I know Ken better than most and I know of his wish to get the people who committed the attack behind bars; however, I am aware that he has difficulties with some of the issues that the motion raises.

In supporting the motion, Charlie O'Connor promised to raise it in the Dáil and argued that it should be raised in the other areas represented in BIIPB, including Westminster. Dinny McGinley made a very emotional speech and rightly so on the fact that five of the people that died in this atrocity were buried in Donegal, one of them being from Spain. The Omagh bombing was a watershed on which we have no closure, and that must be dealt with urgently.

Dave Anderson brought up the fact that the Quinn and McCartney cases have not had any success either and that murderers are being allowed to hide. He stated that the information should be released and that it should be followed up on.

Sean Neeson mentioned that David Ford recently proposed a similar motion in the Northern Ireland Assembly. He argued that the families had been let down by the Governments and security forces on both sides of the border and that information from the 'Panorama' programme should be followed up on. The general consensus is that the issue should be followed up on, as is stated in the motion. Alasdair McDonnell, who fully supports the motion, stated that the Omagh families are crying for help. Much lip-service has been paid to the plight of the families but nothing has been done as yet. There must be justice.

Barry McElduff spoke in support of the motion but raised the need for an independent inquiry. He also praised the personnel of Tyrone County Hospital, a sentiment with which we all agree. Lord Smith strongly emphasised the urgency of the case and the need for the information to be (released) given to the people on this occasion. Alistair Carmichael supported the motion fully and emphasised that he, as a criminal court solicitor, felt that there is good reason for disclosure.

Chris Ruane said that the whole thing was a huge error of judgement and supported the motion, arguing that the information should be released—that that should happen urgently is the prevalent sentiment among Members. As I said earlier, Baroness Blood expressed how she felt that the Omagh families were forced to behave like beggars—going here, there and yonder seeking help, despite the fact that the three Government leaders—Tony Blair, Bertie Ahern and Mr Bush—promised that no stone would be left unturned. It is very hard for people to accept that every effort is being made.

Lord Glentoran supported the motion, and mentioned the fact. Jim O'Keeffe mentioned the need to protect security, but felt that this should be another issue. Michael Mates questioned the wording of the motion and feels that there are problems with it. Given the role that he held in Northern Ireland, we can all respect

where Michael is coming from; however, he also accepts that there is a need to deal with the situation. He emphasised the fact that such information should only be revealed through the courts and that he would be much happier if the matter were dealt with through a judicial system rather than a political one.

Approximately 16 or 17 Members contributed to the debate. As was argued, if the matter is not dealt with through the courts—as is being sought by the families at the present time—it will lead to a public inquiry; a mechanism that has not been very successful in other areas and which costs an enormous amount of money. Therefore, although Michael Mates suggested that the wording of the motion should be changed, I hope that, given that so many Members spoke so favourably in support of it, there could be a unanimous vote in support of the motion and that that will help the situation to progress. As I said earlier, I know many of the affected families in Omagh and have been touched by the efforts that they are making to pursue the case, and by their need for closure.

Question put and agreed to.

Resolved:

That the British-Irish Parliamentary Assembly calls on the United Kingdom Government to disclose immediately to the legal counsel of the families of the victims of the Omagh bombing, details of, and all information relating to and arising from, the request made by the RUC to GCHQ, for surveillance of those subsequently suspected of preparing and carrying out the atrocity in Omagh a decade ago; including transcripts and timelines.

The Co-Chairman (Rt Hon Peter Hain MP): As a result of Members' support for the motion and in light of the contributions that were made—particularly Lord Smith's comment that the co-chairs must act—I hope that Members will agree with my intention to write on behalf of this Body/Assembly to the Foreign Secretary and the Secretary of State for Northern Ireland. Given that several points were made suggesting that the Irish Government may have information, my co-chair will write to the Taoiseach and the Minister for Foreign Affairs and Justice.

Members indicated assent.

The sitting was suspended at 12.41 pm.

The sitting was resumed at 2.30 pm.

ENERGY IN THE UNITED KINGDOM AND IRELAND

The Co-Chairman (Rt Hon Peter Hain MP): The Body will resume. First, I must offer apologies for the British energy minister, Mike O'Brien, who is barely a week into the job and was simply unable to make it today. I am very disappointed about that because I know that our speaker, Eamon Ryan TD, the Irish Government's

Minister for Communications, Energy and Natural Resources, had to change his schedule to be here, and we are extremely grateful for that. It is disappointing that no British minister is present, but let us hope that that does not set a precedent.

I am told by our amateur historian, Michael Mates, that this is the first time that an Irish Government minister has addressed this Body in Britain. That is another bit of history to add to the presence here of Jim Wells, David McClarty and Ken Maginnis.

I hand over to my Co-Chair, Niall Blaney, who will chair the session and invite Eamon Ryan to address us. Like all of us, I am delighted to see him here.

The Co-Chairman (Mr Niall Blaney TD): I believe that it was Brian Lenihan and Geoffrey Howe who made a joint presentation at the first plenary in 1990. I am glad that Eamon Ryan TD, Minister for Communications, Energy and Natural Resources, joins our Unionist colleagues in making history here today. We are delighted to have you here—I know that you went to great lengths to be with us, as you had another engagement. Thank you very much for changing it.

The minister will make a presentation of about 15 to 20 minutes, if Members agree. In the question-and-answer session leading on from that, we will probably take blocks of three questions at a time.

The Minister for Communications, Energy and Natural Resources (Mr Eamon Ryan TD): Thank you very much. I am very glad to be here. I fully understand my London counterpart and the stresses of one's first week in office.

It is useful for me to speak to the Body, because today's discussion follows on from a meeting of the British-Irish Council that I attended two weeks ago, when the issue of energy was again on the table. I felt that it would be right to stress the interconnectivity that energy policy brings not just to the work of the various Parliaments in which we are all engaged, but to considerations on a European and a worldwide level. If I am honest and candid, I was happy to come here because I recognise that our energy policy future depends as much on what is decided in Westminster and Brussels as on what happens in Dublin. We must be international in our outlook on energy policy. We must find out what we can learn from each other and how we can co-operate. I am here representing my people, and it is in their interests for me to give the Body some background to the energy future as we in Dublin see it.

I will use the time that is available to give a general review of what is happening in energy policy development. It is a time of huge importance in energy policy, the details of which are sometimes not easy to understand. I will begin by examining the European context and will move on to an east-west context, before considering the issue from the perspective of the island of Ireland.

The European Union perspective is crucial because it frames overall policy development, particularly on climate change and how we tackle it. I know that Peter

Hain asked whether there was a sense that the current financial crisis would reduce the impetus on climate change commitments, but I do not believe that it will. If anything, what we are seeing in the financial crisis is a need for greater international co-operation and co-ordination. The climate change package is central to the whole European project and will be central to the United Nations co-operative process as we move towards next year's negotiations in Copenhagen on the climate change package.

In that regard, it is interesting that today, at the same time as I am here, my colleague the Minister for Environment, Heritage and Local Government in the Irish Government, John Gormley, is in Luxembourg, signing off, I hope, on the package of measures that the environment ministers have to approve for the EU climate change package.

People will know that at the European Council last week, the leaders of the EU collectively agreed, despite the current financial difficulties, to reaffirm the March 2008 and March 2007 commitments to Europe taking the lead and setting a 20 per cent target for reductions in emissions by 2020, with a 20 per cent improvement in energy efficiency and a 20 per cent renewables target for the 20-20-20 process. That is a remarkable infrastructure of policies—a tent with various poles holding the EU to a common task, which is to play our part in addressing the climate change agenda. I do not believe that there is a wide understanding among the public or the media—or, I have to say, among our own Parliaments—about the consequences or the scale of the changes that have been proposed in those European packages.

I will spend a short time on the details that will be partly decided on today at the meeting of environment ministers in Luxembourg. They are responsible for three of the main EU directives that will come out of the climate change package. One will be to set the direction of the emissions trading scheme, whereby large power generators and industrial interests will be required by law to make the necessary reductions through a trading mechanism. The environment ministers will also seek agreement on the effort sharing that each country will have to make in the non-trading sector: those areas of transport, agriculture and domestic energy use that are outside large power production and power use. The environment ministers will also agree the clean coal carbon-storage technologies that they want to take forward as part of the overall package.

I want to acknowledge an Irish parliamentarian who I believe has had a hugely significant role in the process in recent weeks. Avril Doyle, the rapporteur for the European People's Party in the Climate Change Committee, which is looking at the emissions trading scheme, was able to get agreement in her Committee last week for the European Parliament's first reading of that package of crucial measures. That is probably the most difficult thing to be negotiated because it is where the interests of large industry meet the interests of tackling climate change. The former would argue that, in terms of international competition, it is difficult for them to take some of the reductions that have been made.

Avril Doyle, who is a Fine Gael MEP, got that Committee's approval despite opposition in her own European People's Party, particularly from the Christian Democrats in Germany. I do not think that we at home—I do not know about elsewhere—realised the significance of what was agreed. A complex, three-way negotiation will now take place between the Parliament, the Council and the European Commission to get a package agreed by March. The European Parliament signed off on the bulk of the arrangements in the ETS the week before last, which makes it easier to see how we will get an overall deal. Those developments, while little understood outside the narrow confines of the working groups of the European Parliament, are of historic significance.

The measures have been slightly loosened in terms of proposals to start auctioning permits from 2013, rather than continue the current practice of giving them to companies. Rather than start with large-scale auctioning, the proposal is to increase auctioning slowly and gradually to 2020. However, fundamental agreement on the principle was achieved, and that is what is important.

Likewise, the European Parliament has signed off on effort sharing between different countries, which will be more difficult in national policy terms. A market mechanism takes responsibility away from politicians having to make difficult decisions; we can let the market mechanism deliver the reductions that we need. We will probably have greater difficulties in each of our jurisdictions with the effort sharing reductions because we are dealing with agriculture policy that is not easily changed, and with transport policy that has a long-term trajectory towards greater car use, which is going to be difficult to switch round.

I represent Ireland on the energy council of ministers, which met in Luxembourg two weeks ago. We must agree a package as part of the overall agreement: we must agree a 20 per cent renewables component in energy supplies in Europe by 2020 and the mechanisms by which that can be achieved. As one of the Ministers on that council, the message that I want to bring back is that I believe that we will get agreement. The proposals from the United Kingdom, German and Polish Governments, whereby we will have a guarantee of origin for renewables as they are produced and a trading mechanism for renewables between states, particularly if states have a surplus that they can trade, represent a positive and significant development.

I think that we will have sign-off on that renewables package in December, although that is not certain—we have to sign the package off in December so that the European Parliament can sign it off by March, before it dissolves for elections. That would allow us to enter the Copenhagen negotiations committed to a complete European package of measures, which would help us to get China, America and other countries to play their part. I wanted to give a sense of that process, because it is important that there is wider understanding of a process that will have serious consequences for policy making in a range of areas.

In regarding climate change as a key driver of energy policy, I think that we always

underestimate the issue of energy security. The circumstances that we witnessed during the past year, when oil prices increased from some \$70 a barrel to \$150 a barrel and then went down again are, to my mind—I come from a Green Party perspective—a harbinger that tells us that we are facing a world of geological limits and cannot expect an ever-increasing oil supply but must instead prepare for a geologically inevitable contraction in the availability of cheap, easy, liquid crude oil. We have to attach that energy security constraint to all the policy decisions that we make.

The energy council of ministers considered energy security recently, and a memo went to the heads of Government meeting last week. We also signed off on a new package that tries to get an open and integrated European market. It is ironic that a European Union that was founded on a common coal and steel agreement—an energy agreement, if you like—has a dysfunctional market in energy.

I want to bring in the common, shared interests of the UK and Ireland in that context, because it seems to me that the lack of real, open competition across the EU, in particular for electricity and gas, has huge consequences for our competitive future and for our security of energy supply. I was looking at figures on our competitive position today, and it is interesting that the UK and Ireland, which are in the same common market for gas and are therefore in effect in a commonly priced market for electricity, are starting to be very uncompetitive in comparison with our European partners. That is because of difficulties as a result of the high price of gas that there has been on the London stock market and the London futures market. We have a common interest in trying to open up the European grids, which might help to reduce that cost.

One reason for the high prices, as I see it, has been the UK's dependence on imported gas to meet its needs. There has been a remarkable turnaround in the past four or five years in that regard; the UK was a net exporter of gas, but within the next year or so we estimate that about 40 per cent of its gas needs will be imported. Difficulties to do with the control of the gas grid network to deliver that gas to the UK—and by dint of that to Ireland—have hugely important policy consequences. The Commission has proposed a series of measures to try to open up the network, and we in Ireland strongly support that approach, which is in our interests by dint of our gas prices being set in accordance with what happens in the UK market.

I do not have time to go into detail on this, but we can play our part in that gas market by offering a two-way flow. We are trying to develop our Corrib gas field—a project that has had a lot of planning difficulties. Even though the field will primarily be of use in the Irish state, having a gas connection with the UK that can work on a two-way basis will perhaps improve the security of the UK position on gas, even at the margins, such that the percentage that is supplied will help to moderate the price demands of Norwegian or Dutch gas suppliers. There is greater security through cooperation, if we can ensure that there is integration and that Europe sets out the rules to assist that co-operation.

2.45 pm

I will set out some of the developments that are taking place in relation to the island of Ireland and translating some of those broad principles into policy action. I will concentrate on electricity production rather than transport and heat, which are the other two main components of our energy use.

One positive development in recent years has been increasing north-south cooperation in energy policy and management. It is not high profile or particularly political because it is to the benefit of both sides of the island to develop a single electricity market so that we can get efficiencies and a more flexible market mechanism that suits all suppliers.

Last January we were able to publish, north and south, a new all-Ireland grid study, which was of international significance. It showed that a country can ramp up its renewable power supplies. In our case, the entire island will be able to meet something like 40 per cent of its power needs from renewables by 2020. For the first time, the grid study got rid of one of the caveats that people have about the development of renewables—that they offer a variable supply and therefore will never amount to very much. That scientific study, which we completed over two years using leading international consultants, has demonstrated that by 2020 we can develop some 40 per cent of our supplies from renewables, primarily from onshore wind production, but increasingly from the offshore component. We can then expect new technologies to be developed, such as offshore wave, tidal, biomass and other supplies that, post 2020, will start to show scale, so that 40 per cent is not a limit to our ambitions; it should be the base of our ambitions.

As I said, that study is being turned into action. In the Irish Government, we have altered our target to generate 40 per cent of electricity supplies from renewables by 2020. Our grid company is looking at a grid 25 strategy to see how we can develop our grid for our long-term renewables and electricity future. Again, that is an all-Ireland project: the grid and the single electricity markets will work best when we have proper interconnection.

There are a lot of Dáil parliamentarians here from the border regions. They will know that there has been huge difficulty with and public concern about some of the development projects that are required on that grid. I always like to avail myself of an opportunity and perhaps we can learn from each other how to sell some of those developments as positive economic developments for our communities as well as addressing environmental or planning concerns.

As minister with responsibility for communications as well as energy, I am in an interesting position in that I see our economic future coming increasingly from the development of new information technology industries, such as new digital markets where we can sell from any part of our country to any part of the world in a nanosecond at the flick of a digital switch. Employers require two key components—broadband and electricity. We cannot power that new digital economy without

electricity. Areas of our country in either jurisdiction will not attract new investment in the absence of such a grid. That should be at the back of our minds in times of economic difficulties. We should be working together as parliamentarians to try to assure our people that the development of this new technological asset—this new renewables electricity system backed up by a grid system that can catch it—also works the other way in that it can bring jobs into our communities, often in areas where it would be difficult to develop them otherwise.

We are developing the grid on an east-west basis too. I am pleased to see that our transmission company, EirGrid, is in the process of developing on time an east-west interconnector that might help the UK Government to meet some of its renewables targets down the line. If we can develop the wind potential that we have in Ireland, there will be times when we can export that power and the benefit will go to the UK to help it to meet some of its overall targets.

We are working in conjunction with our parliamentary colleagues in Scotland and Northern Ireland on the development of an offshore grid study for the west of Scotland, the east of Northern Ireland and into the Irish Sea. That is because, although the initial target will be met primarily by onshore wind, the long-term future in getting real scaleable production from renewables and a consistent supply will come from developing our marine resources—the wind blows much stronger offshore than it does onshore. Our islands share a unique resource in that regard.

Offshore wind will become economic when it is scaled up. Engineers from Norway or elsewhere who want to invest in offshore wind say that it will start to work when we have very large projects—1GW projects. Those will be a similar scale to nuclear power plants, but will instead be at sea, where the power supply, wind, is free. To develop that, we must develop expertise, which takes me back to east-west cooperation.

We have everything to gain from working together to see how the technologies develop, because we have a resource that the Belgian, German, Italian or Spanish Governments or others do not have. If we are thinking in that timeframe and on that scale, we need to develop the grid on a Europe-wide basis. We must develop the subsea grid connections that will help us sell the natural power that we have to the rest of Europe.

We need to think big in the area, because thinking big will allow us to solve some of our other difficulties. We can aim to have a transport system that is powered by electricity, but that requires us to have a large-scale power supply to power it. It was interesting to see how the British-Irish Council is trying to steer into the area and to consider whether there is a role for the Administrations. Whatever way it is organised, we need to agree the common framework, as I believe that that is the way forward.

The depletion of the North Sea oil and gas fields is a geological certainty. I imagine that, from the UK perspective, there is everything to be gained from investing the time and money that remains from the geological availability of oil and gas in an

alternative and sustainable long-term energy future. I believe that that can be renewables. There is everything to be gained from our country working in cooperation with the UK in the recognition that we are absolutely dependent on those gas supplies, just as much as residents of Tyne and Wear or any other areas are. There is everything to be gained from our working in collaboration on a European basis to have open networks and markets. That direction suits us. As we are on the very edge of Europe, it can provide us with a security of supply that would not otherwise be available.

On that basis, I am proud to have been able to come here to give a general picture of where we are and to give a single simple message: our energy futures are intertwined and, as parliamentarians, we need to think about the consequences of that, the common interests that we have and the common policies that we can present in all our interests. *[Applause.]*

The Co-Chairman (Mr Niall Blaney TD): Thank you very much, minister. Members will all agree that that was a wide-ranging presentation on energy, not just from an Irish perspective, but from an all-island and European perspective. I hope that that trains all our minds, because the topic covers all Parliaments and institutions. I hope that we get into a good debate. I have had two offerings to speak so far. We will start with my co-chair, Peter Hain, who will be followed by Johnny Brady.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you, Niall. I hope that I am not abusing my position but, in the absence of a British minister and as I have been an energy minister as well as Secretary of State for Northern Ireland and Secretary of State for Wales, I will offer some brief responses to that excellent presentation from Eamon Ryan. The energy future of the island of Ireland must be considered as a whole. A single electricity market has already been legislated for and is in existence. The islands of Ireland and Britain are basically small islands, one of which is bigger than the other, in a massive global energy context, which includes China and India, with populations of a billion people each. We ought to consider our common energy security together. We are dependent on the importation of gas and oil from unstable and potentially hostile parts of the world. How can we develop a sustainable energy policy together?

We should look at some of the issues that bind us. For example, we have the historical problem of discharges into the Irish Sea from Sellafield, which the Irish Government has, understandably, been extremely concerned about. Milford Haven, which is not too far from the Irish coast, will soon import liquefied natural gas in containers that will principally come from Qatar. It will provide 20 per cent of Britain's entire gas supply. To keep the lights on, we are going ahead with nuclear developments to replace existing developments, but the island of Ireland, both north and south, has decided that nuclear power will not be part of its future. There are a lot of common threads.

On the solutions, we have an endless supply of wind—indeed, we have far too much

of the bloody stuff. As Eamon Ryan said, we have offshore and onshore wind in abundance. In an island of Ireland context, where does an offshore wind farm straddle the border in terms of marine boundaries. Is it sensible to draw a line instead of asking where we should put a wind farm, even if it crosses the geographic border. How can we maximise the immense potential of wave and tidal power in the islands of Britain and Ireland. As a secretary of state, I was responsible for overcoming a lot of official resistance and some environmental resistance against putting up in Strangford Lough the first marine current turbine of its kind in Europe. That turbine is just getting up and running now after many teething problems. Strangford Lough is enormously powerful, as those who know it will confirm. The scheme could be a pilot for spreading such turbines around the loughs or lochs of the island of Ireland and Scotland, and in other places in Britain and Europe.

A significant and important project that I hope will get the go-ahead is the Severn barrage project in south Wales. That project has the potential to supply 5 per cent of the UK's entire electricity needs in one go.

On new technologies, solar and photovoltaic sources need to be rolled out massively, as has happened in Germany, and there is biomass energy, the potential of pyrolysis— which is basically the use of chemical reactions to break down waste and turn it into energy—and fuel cell technology for transport. All those sources could provide enormous potential for Government investment. Governments could work with the private sector on such technologies, particularly in a time of financial crisis, when we need to pump-prime the economy to create jobs and the technologies of the future.

There is an enormous common agenda. I hope that, as Eamon Ryan said, as parliamentarians working with the British-Irish Council we can take forward that agenda and take a unified approach across the large island of Great Britain, the small island of Ireland and the even smaller islands that are represented here today.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Peter. There is certainly a lot of food for thought in what you have said.

As I said earlier, we will take questions in groups of three at a time.

Mr Johnny Brady TD: I, too, welcome the Minister and compliment him on his fine presentation, in which he outlined the issues in detail for us.

A new company called TimberPro has been set up near Kells in County Meath, which is in my constituency. I had the honour of being there last Monday evening with my and the Minister's colleague Brendan Smith, the Minister for Agriculture, Fisheries and Food, who visited the company and saw for himself the tremendous work that it is doing. The company is involved with wood pellets and providing heating for many of our institutions, such as hospitals, nursing homes, many state buildings and factories, and for county councils. It compresses sawdust and turns it into briquette form, which is a very clean source of energy for sitting room fires. It is also involved

in growing willows and harvesting them for energy. The company is investing €30 million in the project.

3.00 pm

Its biggest difficulty is that there seems to be little financial support or grant aid. Its big problem—which we all find—is that it has to deal with three different departments. There is the Minister's department, the Tánaiste's department—the Department of Enterprise, Trade and Employment—and the Department of Agriculture, Fisheries and Food. The agriculture department is involved in grant aid and the growing of those particular crops. People from the company have had to meet officials from all three departments, so perhaps the three ministers could sit down together and discuss the issue. I am told that grant aid seems to be better across the border in Northern Ireland than it is in the Republic. Perhaps the Minister can give me a rundown on that.

The company will create a fair bit of employment in my area, which is very welcome. I compliment the two local men who started it up and the other people who are involved. It is marvellous to see young entrepreneurs getting involved in this type of business.

I will add a few other questions. When will both Governments co-ordinate support for growing biomass willow. When will the price of electricity that is generated from biomass be the same on both sides of the border. When will carbon credits be coordinated between Ireland and England?

Mr Jeff Ennis MP: The minister probably will not recall, but in the early 1980s Britain was the world leader in the development of clean coal technology, mainly through the fluidised bed plant at Grimethorpe colliery in my constituency. At the time, 20 countries—including Canada, America and Japan—were investing in the project, but when the miners' strike came along in 1983, the Government of the day decided all of a sudden to close the project down.

We missed a window of opportunity there, but now in Europe we have another window of opportunity—to become world leaders in the development of carbon capture and storage. The setting up in our country last week of the Department of Energy and Climate Change was a positive move in the right direction. I am sure that Ed Miliband, the new secretary of state, will be working on a positive and radical agenda. I will certainly be pushing him on Britain investing heavily in future carbon capture and storage projects.

Following on from Peter Hain's point, I would like to ask whether there are opportunities for developing a joint project on carbon capture and storage between the Irish and British Governments—including the devolved Scottish Government?

The Minister for Communications, Energy and Natural Resources (Mr Eamon

Ryan TD): I will start with Deputy Brady's points on biomass grant support. There are different systems and that will continue. The UK is working on a renewables obligation certificate. As I understand it, the system is a market-based support system, and biomass represents around a quarter of ROCs.

In our system, we have what is known as a feed-in tariff, for which the price is fixed. We do not depend on the market to set the price; there is a Government-supported price of 12c/kWh for biomass. Our system will stay that way. There are different views on how to support renewables, each of which is valid and making progress.

Deputy Brady asked about grants for a particular company in building and heating. I will give an example that shows co-operation working. We have a common market in the type of housing and buildings that we have in Ireland and Britain. I have followed with real interest the progressive measures that the UK Government has set out for improving building regulations, including, I recall, very progressive year-on-year increases in passive housing by about 2016. That is one of the best ways of supporting companies such as the one that Deputy Brady mentioned.

This area is complex. In any building, many different solutions are possible and many different technologies could work. It is difficult for Government to apply the right solution in every location. However, it is right that we should set very high regulations and say, "As long as you jump over that bar, your technology is going to benefit."

It has helped us tremendously in Ireland to see the higher standards in the UK. We have followed suit. We increased our building standards by some 60 per cent this July and we have said that we want to step it up from there over the next 10 years. That should help companies such as the one that Deputy Brady mentioned, because they will have a common market north, south, east and west for the solutions that they seek to deliver.

A similar example of good policy making from the UK—which, to be honest, we ripped off pretty much straight from the book—was the Carbon Trust's proposal for advance capital allowances for a range of different heating technologies. I was glad to introduce some of those in our Finance Act 2008 and expand the scheme in our upcoming Finance Bill. That is another example of good practice that can be applied across the board.

We are undertaking projects in the Irish Republic that would be considered progressive. We have a project for supporting home insulation that is as sophisticated as anything that exists in the UK or elsewhere—indeed, it is ahead of the game. Our proposal to change lighting regulations and introduce energy-efficient light bulbs much more quickly than might happen elsewhere is another example of our being ahead of the game. So there are examples of us showing leadership and of taking leadership from elsewhere and applying measures in our country.

Jeff Ennis mentioned the coal industry. People do not understand the significance of

what is going on in Europe. Regulations are being decided that will have huge consequences for the development of the type of industries about which he spoke. For example, in the European Parliament's discussions on the climate change package the week before last, it was agreed to set a standard such that, by 2015, Europe will not allow new coal-fired plants that output more than 500g of CO₂ per kilowatt hour of electricity produced. That effectively rules out conventional coal-fired plants and mandates that companies that want to build such plants have some sort of clean-coal and storage system.

That is a good example of my earlier comment that the politicians' role is to set the regulatory bar higher and let the industry come to solutions. As long as we are consistent in giving a long-term signal on carbon price, the investment community will react to it. Consistency is required. The energy industry works to long-term timeframes—if somebody builds a coal-fired plant now, it will last for 30 or 40 years—so, as long as it has an idea what the carbon price will be, the relevant technology will emerge.

That is one example of a hugely important regulatory process that is not commonly acknowledged or noticed but which is going on in Europe at present on carbon technology and will lead to an outcome.

The Co-Chairman (Mr Niall Blaney TD): Thank you, minister. I appeal once more to mobile phone users to switch off their phones, because they are interfering with the sound system. Having them on silent is not good enough.

The next three speakers are Paul Flynn, Alasdair Morgan and Michael Mates.

Mr Paul Flynn MP: I thank the Minister for his interesting speech and for Ireland's ambitious targets. Many of us in Britain are baffled as to why, three years ago, our Government denounced nuclear power as economically unattractive, when now it seems to be bewitched by the pied piper of nuclear power, which has never paid its way, will not pay its way in the future and can only be made to look economic by rigging the market against renewables. Will the Minister tell us why Ireland has rejected nuclear power but has very ambitious targets that, from what he said, it seems likely it will succeed in achieving?

Mr Alasdair Morgan MSP: I am interested in what the Minister said about the importance of the electricity grid. Ireland and Scotland's vast renewables potential is concentrated round our peripheries—I refer to offshore wind, wave and tidal power—which tend to be remote from our industrial bases and population centres. One can imagine that the populations might move over centuries but, in the real world in which we still live, we must get the electricity to where they are. However, we seem—this is certainly the case in the UK—to have a very poor charging mechanism.

Although it seems logical that the further the electricity is transported the greater the charge, such a system very much militates against the offshore production of wind energy on Scotland's peripheries, because the energy must then be

transported down to Scotland's central belt or even further to England. Given that we want to encourage renewables, that is not a sensible policy. Can we be given any insights into current thinking on that. If we are to start moving electricity around not just Scotland but the entire archipelago, and perhaps even further, we cannot have that kind of charging system.

Rt Hon Michael Mates MP: I add my congratulations to the Minister on an excellent and informative briefing. I hope that the Body and the Minister will forgive me if I ask a question that is not directly related to energy.

Twice in his remarks, the Minister mentioned the British-Irish Council. In this assembly, we have been grappling with the problem of our potential relationship with the British-Irish Council for some time, but with little success. Paul Murphy, who is the British representative on the BIC, was to have addressed us this morning but, alas, he was unable to do so, because he has had to attend an economic summit in Downing Street. Can the Minister share with us his thoughts—not necessarily his Government's policy—on how we might perform the role that the St Andrews Agreement envisaged for this assembly in working with the British-Irish Council, perhaps by providing some sort of parliamentary oversight of that ministerial council. Does he have any thoughts on how we might take this forward, as we are somewhat at a loss in trying to get a response from the council. I am sorry if that is an unfair question that the Minister did not expect, but he mentioned the subject, which is very much in our minds.

The Minister for Communications, Energy and Natural Resources (Mr Eamon Ryan TD): On the nuclear issue, nuclear energy is actually prohibited under legislation in Ireland. Strangely, as a Green minister, I came into office saying that we should still debate nuclear energy, because if we engage in a serious debate on Ireland's energy realities, we will come to the common conclusion that nuclear energy is not the answer. That will reinforce the conviction that energy efficiency and the development of renewables is the answer and will give greater political conviction and support to progressing the development of energy efficiency and renewables. I base that view purely, I suppose, on energy policy rather than on environmental considerations.

Developing the grid so that we can tap into the renewable resources that we have in such abundance would not suit nuclear energy, which is a more centralised solution. Our grid on the island of Ireland is relatively small. It would be costly to run a nuclear power plant on a small system, as nuclear power plants typically are large and break down or have to be shut down regularly, such that a spinning reserve or back-up reserve needs to be available all the time. In terms of energy economics, that makes nuclear power plants prohibitively expensive. A range of other considerations also needs to be taken into account. We have no expertise in nuclear. We have no nuclear waste problem, so why would we want one. Other issues would come out in debate. I prefer to have a debate. It is better to have an open and honest discussion. The energy security and climate change challenge that we face requires us to debate everything, because the solutions will require real conviction.

In terms of the UK, there are a number of different issues. From the Irish Government point of view, there have been huge problems with the reprocessing facility in Sellafield. I read with interest a very good report that the UK Government commissioned from the Sustainable Development Commission as part of its consultation process on whether new nuclear power plants should be built. It is interesting that the report—which was balanced and well written—commented that the main environmental concern was with the reprocessing and storage facilities at Sellafield.

3.15 pm

We have an interconnection, and at any time we are importing a certain amount of power from the pool of UK electricity. We therefore take in a certain amount of power that may have been generated from nuclear but, as I see it, the interconnection will primarily be developed to enable us to trade renewable power on a pan-European basis rather than to enable a renaissance in the nuclear industry. I understand that, in broad figures, the UK is looking to replace 20 to 25GW of power plant in the next 15 years. How it manages that is a matter for the UK Government. Our concern is about reprocessing, because it is an on-going issue.

On Alasdair Morgan's point about charging for the grid, new technologies—sub-sea cable—have been developed that allow high voltage direct current connections with very low transmission losses. Less than 2 per cent of the electricity is lost through heat and the cables can travel very long distances. Those cables can now be laid much more cheaply than previously. Such technological development allows us to look at longer-term grid development in a different way. Those cables are not part of the ordinary grid—the ordinary grid is integrated. The sort of grid that provides jobs is one that can easily branch off into a local factory, but this development is more about long-distance point-to-point connectivity.

In considering how these islands co-operate, we must examine where we run some of the long-distance HVDC cables, possibly in the North Sea to connect to Norway. I look for the development of such cables from the west of Scotland, where there are massive marine resources, down the east coast of Northern Ireland and through the Irish Sea. On both sides of the Irish Sea we could tap into the connectivity to build significant-scale offshore facilities that would not have the planning problems that would be experienced if such power lines were built onshore. The EU strategic energy plan, which was set out early this year, indicates that it is particularly interested in the development of such long-distance grid connections, because it adds to overall European security. We should seek financing from the likes of the European Investment Bank and common European Union funds, because, in a sense, such connections are the trans-European networks of tomorrow.

Our Government is looking at investment of approximately €4 billion in our transmission network—primarily onshore initially—to tap into the 4,000MW that we will need to develop onshore to meet our renewables targets. As I have said, that

will create jobs. The economic cost benefit analysis must take into account that the transmission network is crucial infrastructure for the future. In my mind, it is more important than roads. If someone is looking to invest in a factory, increasingly they are looking for a guaranteed electricity supply. When they are doing business, they do not want to have a power outage. They often look for two 110kV connections—one as a back-up—such is the nature of the new digital economy. A transmission network is required to provide that, and you will not get the jobs of the future without it. That must be taken into account in any cost benefit analysis of grids.

I am not really fit to answer the difficult and tricky question that Michael Mates posed, because my first British-Irish Council meeting was the meeting in Edinburgh. I found it useful, because we have common difficulties and there are issues that we must address, be it in Wales, Scotland, Northern Ireland, Ireland, the UK or Britain. There is something to be gained from swapping notes on policy development, if I can put it in those terms. It would seem to make a lot of sense for the British-Irish Inter-Parliamentary Body to act as a Parliamentary back-up to that meeting of Administrations. There should be a shared common agenda, and there would be no harm in having some parliamentary input into BIC proceedings. My instinct is in that direction, but it is a personal, first-year fresher instinct rather than one that has been worked through with my ministerial colleagues or the Department of Foreign Affairs.

Rt Hon Michael Mates MP: Thanks.

Mr Alistair Carmichael MP: I, too, thought that the Minister's presentation was one of the most refreshing that I have heard from an energy minister on either side of the Irish Sea in my time in politics.

I want to pick up on Alasdair Morgan's thread about locational charging. For traditional energy generation from non-renewable resources such as oil, coal and gas, one can see the logic in a system that encourages generation of electricity close to the end user because if there is transmission loss, oil, coal or gas is being burned for no good reason—it is just being wasted. However, I have always thought that that argument does not apply for renewable resources. In the construction of the transmission charging regime in Ireland, is that a distinction that Eamon Ryan make or would be prepared to make. The question of getting electricity from the point of generation to the point of use has exercised me, as MP for Orkney and Shetland, for many years. We can generate more electricity in the isles than we can ever hope to use, so how we might get it to the rest of you is something that exercises us greatly.

One of the developments that we are considering, in Shetland in particular, is the hydrogen economy, which came to my mind when you were speaking about the use of electricity for transport. What is Eamon Ryan's Government doing about development of hydrogen as a fuel cell and as a resource?

Mr Brian Adam MSP: Alistair Carmichael and Alasdair Morgan referred to transmission charges. We have some interest in that, but the other aspect is how we ensure that we can generate electricity locally and not rely on big, remote nuclear or

coal plants, with all the problems that come with them. How do we encourage local generation, where should the appropriate regulatory environment be going in that respect, and who should be implementing that regulatory environment. I am talking not just about microgeneration but about smaller plants, which Johnny Brady referred to earlier. Although it will not generate 5 per cent of the UK's electricity needs, as the Severn barrage does, should we consider local generation?

Mr Willie Clarke MLA: I thank Eamon Ryan TD for his presentation. It was refreshing to hear it, particularly his commitment to renewables. Given the downturn in economies around the world, the opportunity exists to follow a more sustainable path in everything we do—that applies very much to energy provision. Like Eamon Ryan, we come from a country that has limited fossil fuels: Ireland imports 90 per cent of fuel supplies, compared to the European average of 50 per cent. I agree that it is vital to develop the renewable energy sector to ensure energy security for Ireland and, indeed, all the islands. I also agree that all the islands need to co-operate on energy provision. The potential exists to create thousands of jobs in the renewables sector. Given the economic downturn and the potential for recession, all the islands— indeed, the whole world—can consider that approach. We can take a reality check on where we are and where we should be going.

My question is based on existing coal-fired and gas-fired power stations. What progress has been made on the introduction of biogas during the generation process.

There is a great opportunity for employing anaerobic digestion in our power stations, and for introducing technologies such as biomass—particularly woodchip—as an alternative to coal-fired and gas-fired power stations. That should be rolled out across the isles.

I support the efforts of the Scottish Government, which made it possible for the establishment of a wood biomass power station at Lockerbie in Scotland. The Steven's Croft plant provides a number of economic and environmental benefits, such as the creation of 40 jobs at the power station and approximately 300 jobs in the local forestry industry. The plant generates electricity for approximately 70,000 homes, achieves a carbon reduction equivalent to 140,000 tonnes, uses locally sourced fuel stocks, promotes growth in the green economy as well as diversification and efficiency in agriculture, and stimulates growth in the forestry industry. It is also eligible for renewables obligations certificates, whereby the owners receive financial incentives for the megawatts of green energy that they produce.

I will conclude with a couple of points. Under the North/South Ministerial Council, the two environment Ministers cannot discuss climate change because it is not part of the Council's remit. We must consider changing that in the review. We also have the strange situation whereby the Minister from the North does not believe that humans are a main contributor to climate change. I am not trying to get him into trouble, but I wonder what the Minister thinks about that. There seem to be opposing forces. Also, what is the Minister's view on personal carbon credits?

The Co-Chairman (Mr Niall Blaney TD): Before I hand over to the Minister, I note that five others want to speak: Lord Cope, Alun Cairns, Dai Lloyd, Rosemary Butler and Seymour Crawford. Are there any others?

Mr Eamon Ryan TD: I must be diplomatic. One thing that I got a sense of at the British-Irish Council was the Scotland-London diplomacy that Dublin would have to obey on certain energy policy issues. Locational charging seems to be complex and difficult. It is also clear that we are dependent on some of the policy decisions that are made in London. The locational pricing and the choices around how gas costs are transmitted or how the gas market works have a real effect on us in Dublin, because 95 per cent of our gas comes through the interconnectors that we have with Scotland.

In electricity, the transmission costs or the locational charging costs likewise have huge consequences for us.

The system of gas charging and transmission costs is very complex and I am not well placed to answer the question. Therefore, I am slightly fudging it in terms of what the right policy is on long-distance transmission from northern Scotland to where the electricity will be used. My understanding is that the European Union regulations that are being developed will facilitate and make possible a market for the sale of electricity over long distances. We are seeing that already. An Irish company called Airtricity is building an offshore wind bank in the Thames. For years, it supplied electricity in my home city from French hydro power that is traded via the UK. There are possibilities for us to trade over longer distances.

I have the role of working out the pricing mechanisms, but the process depends on the investment decisions that are made by Government and transmission companies. I am sorry that I cannot answer the question in a more forthright manner, but that would require a real technical and market analysis of the UK electricity market, which I have not done.

I say to Brian Adam that I have typically approached the issue from the green perspective that small is beautiful and that microgeneration and autogeneration are the way forward—I am still of that view. However, I believe that a real constraint around how we tap into the new electricity is the grid. In the absence of a grid, we will not develop the power. Whatever the market mechanisms, if the power cannot be carried, it will not be possible to generate it.

To get support for the grid, we need every farmer who might have to put pylons in his fields to see the grid in the same way as he sees the local roads. He sees the local roads as a means of getting to the shops, to school, or whatever. Farmers do not see pylons in that way; they see them as carrying electricity for someone else unless they start autoproduction on their farms and can put up windmills themselves. Then, they see the power lines as a source of income. That is perhaps a different, public process of getting a grid built. On that basis, I believe that development of microgeneration and autogeneration is important. In Ireland, we are not where we want to be on that, but we are working to get there.

3.30 pm

I return to a point that I made earlier. Another constraint that we must consider is economics. We need to produce electricity that is priced competitively compared to that in other jurisdictions in Europe and elsewhere. To do that in renewables, facilities must be large in scale, especially offshore. To get prices down, we must build on a large scale, so governments need to set up support mechanisms that will assist production on that scale. It would be nice if it were possible to power our system completely and economically from microgeneration, but we are not there yet. In my view, we need large-scale offshore production.

Willie Clarke asked about biogas. I will make a couple of technical points about the generation process and use of woodchip. We have a biogas support scheme, which relates to autoproduction—smaller-scale farming practices can be switched to it. On a larger scale, woodchip can be used as biomass. We face a real challenge in that area.

We are looking to get one third of the material for a peat-fired power station from biomass—something like 1 million tonnes of woodchip is required. It is a real challenge to make available forestry for biomass on that scale and in an economic fashion.

One reason why I have concentrated on wind and other renewables is that they will provide production on a large scale as we develop alternative technologies. It is difficult to turn woodchip into electricity on that scale. It is much easier and more efficient to use woodchip to generate heat, as there is not the same loss of energy. When woodchip is used to generate electricity, two thirds of the energy is wasted in heat that goes up the chimney and is not used. Initially, woodchip and biomass will have a stronger role in heating and combined heat and power, where real efficiencies can develop.

Willie Clarke's last question was about the views of our colleague the Minister of the Environment in the Executive in the North. I had a good lunch and a great chat with Jim Wells, who is much better placed to outline the Democratic Unionist Party's views and policies on climate change.

The Co-Chairman (Mr Niall Blaney TD): Eight Members have indicated that they wish to speak. I am conscious of the fact that my Co-Chairman did a good job on time restraints this morning. I suggest that we take the last eight questions together in a 10- minute period. I seek Members' co-operation in that regard.

Lord Cope of Berkeley: In his excellent speech, the Minister referred to wave and tidal power, and Peter Hain referred to the interesting Strangford Loch project that is coming on stream. I agree that it will be of particular interest to those of us who live near the Severn estuary. What proportion of the Republic's electricity is expected to be provided by wave and tidal power within a reasonable timescale. It would be helpful to know what targets have been set for power from those interesting but

comparatively novel sources.

Mr Alun Cairns AM: My question ties in nicely with the previous one. In the renewable energy policies of many of the devolved bodies and of both Ireland and the United Kingdom, it is predicted that marine, tidal and wave power will form a huge part of the future of renewable energy, but the technology is pretty much in its infancy. Given that many of the Parliaments and Governments have similar goals, how are the island of Ireland, the devolved bodies and the United Kingdom cooperating to share technological expertise to ensure that it is harnessed sooner rather than later?

Dr Dai Lloyd AM: Wales, a bit like the Orkneys, is a net exporter of electricity, which is fed into the national grid. However, from the Welsh consumer's point of view—at the end of the day, we all represent private consumers, even if we call them electors—electricity prices are between 10 per cent and 18 per cent higher than those which are paid in England pay to the same electricity companies. With all of the talk of a common agenda and of grids working together, how can fair play for the ordinary consumer be ensured?

Mrs Rosemary Butler AM: The Minister's talk was interesting. However, as the previous two speakers have indicated, we are doing some quite interesting stuff in Wales. Our renewable energy route map can be found on the internet and, of course, we pride ourselves on the fact that our Senedd building is the greenest Government building in the world—if the electric lights are on when the sun comes out, the electric lights go out. It is a thinking building—it might be interesting for colleagues to visit it.

We all agree that there is no single easy solution: we need a mix of efficiencies and the creation of energy from renewable sources. My concern is that we do not seem to be doing enough on efficiency, particularly with regard to efficient use of water. We waste a lot of water in Wales—I am sure that the situation is the same in Ireland, England and Scotland—and the amount of electricity that is used to produce more clean water is astounding. I would like to know, therefore, whether Ireland has a strategy on efficiencies around waste water.

There seems to be a reluctance to share best practice across Europe. Streetlights and lighting for tourist attractions in any European city are powered by solar power. Even though we do not have much sun in these islands, we get enough sunlight to use such technology if we so choose.

It is nice to see that Newcastle has electric buses running around the city centre. I do not know of many other cities that have electric buses.

My pet subject is the creation of biodiesel from used cooking oil. Many restaurants use cooking oil, and the diesel that is created from used cooking oil is cheaper than ordinary diesel and will mix with standard diesel. Something called glycerol is produced from the process. In Britain, it is treated as a waste product but on

continental Europe, it is treated as a by-product. Trying to get the regulations changed so that Britain will treat it as a by-product is impossible. That waste product is exported from Britain to Germany, where it is reused and imported back to Britain. Could we try to persuade our lawmakers to come into line with Europe on this. I know that glycerol can be used in creating radiators and heating—what is the word. I cannot think of it.

The Co-Chairman (Rt Hon Peter Hain MP): We know what you mean.

Mrs Rosemary Butler AM: I am glad you do. I should not have had that glass of wine at lunch. [*Laughter.*] No—I did not have any wine.

If we can get efficiencies and share best practice, we will be a long way along the road towards ensuring that we are energy efficient in the next 50 years.

Mr Seymour Crawford TD: I congratulate the Minister on a rousing speech. We might not agree on all things, but he is always good at speaking.

Committee C, of which I am a Member, has produced a study on renewable energy, with the exception of nuclear power. We will talk about our report on that later on today. I asked the Committee to take on that work because of a problem that I came across in relation to a company in my constituency in Mullagh, on the border between Cavan and Meath. The company has a factory there, a factory in Holland and a factory in France, and found that the price of electricity was almost twice as much in Mullagh as it was in France, simply because of the nuclear situation.

We have a long way to go with wind power and other forms of energy, and we have the famous problem of the pylons, which Mr Ryan mentioned—although I have no intention of getting into that now in any depth. We will have another opportunity to discuss the matter before too long. One thing is certain: we need the structures. If we do not have the structures, we will not be able to get power from either the wind or the waves into the central grid.

For a long time, I have been involved in the issue of a biomass-type plant to deal with poultry waste and so on. There are quite a number of them in Scotland and elsewhere in the UK, but we have had all sorts of problems with them in Ireland. Another issue is that of meat and bone-meal. We have exported every ounce of it to Germany and elsewhere since it was no longer allowed to be used in animal feeds because of the BSE outbreak. Can you envisage any change in the situation. Will we be able to utilise that resource to the maximum benefit of our own consumers.

There is quite a bit of interest in small industrial firms and farmers having their own wind energy or some other form of energy. However, there is a major difficulty in joining up to the grid and getting the benefits that would be available in Germany. Will you be able to deal with that situation?

The Co-Chairman (Mr Niall Blaney TD): Charlie O'Connor will be followed by

Robert Walter, and the last speaker is Joan Burton. Can we kindly keep to questions. We have a time constraint.

Mr Charlie O'Connor TD: Just give me 10 seconds to say this. It has all been said, and it has all been asked, but I just want to be associated with the welcome that has been extended to the Minister. He will have surprised people by admitting, after his very impressive contribution, that he is only a year into the job. I wish him well in that regard, and I know that everybody in the room will want me to say to the Minister that I hope that he gets the full five-year term in government. [*Laughter.*]

The Co-Chairman (Mr Niall Blaney TD): Questions, please.

Mr Charlie O'Connor TD: Minister, you have talked about co-operation, and other colleagues have made that point. How confident are you about the level of cooperation with other Administrations, particularly in light of the point that Paul Flynn made about nuclear energy. I suspect that it is an issue that you raise every time you cross the Irish Sea. In the context of co-operation, how do you manage that?

Mr Robert Walter MP: I am going to be slightly controversial. I agree with everything that has been said about wave power, tidal power, offshore wind power and energy efficiency, but I want to speak about the quest for onshore wind. Onshore wind turbines generate electricity for only about 25 per cent of the time. I do not know what the economics in Ireland are, but turbines are sustainable in the UK only because two thirds of the income for the generators comes from cross-subsidy. We are desecrating our countryside in a quest to meet targets when we should really be considering other, more efficient ways to produce electricity.

That brings me to nuclear power. Modern nuclear power plants are efficient, safe and clean, yet we seem to want to labour and weigh down our nuclear generators with legacy issues. We used public money to deal with the legacy of coal. I believe that we should use either cross-subsidies or public money to deal with the legacy of what was a very inefficient development of nuclear energy in the UK from the 1950s onwards. However, if we are serious about creating clean, sustainable energy, we should seriously consider nuclear energy. Ireland should do, too.

Mrs Rosemary McKenna CBE MP: Hear, hear.

3.45 pm

Ms Joan Burton TD: I have two questions. First, what type of financial structure does the Minister have in mind for the substantial investment that is required in wind and wave energy. Is he considering direct state investment, as was made in early electricity generation, or is he considering the private finance initiative or publicprivate partnerships. What impact, if any, do the current international financial difficulties have on that decision?

Secondly, the constituency that I represent, on the west side of Dublin, has a lot of high-tech industry and a lot of valuable employment as a consequence. However, we also have to live with the enormous grid structures for the high-quality power grid that we require, and they dominate the landscape of my constituency. They tend not to dominate in cities or richer areas because they are usually undergrounded, so we do not see many of them on the south and east sides of Dublin city. However, the issue of highly visible grid installations is a serious one for many rural communities.

People's preferred solution, particularly where the structures are near areas where people live, is to have a degree of undergrounding. Does the Minister regard that as a realistic prospect or was he basically saying earlier that rural communities, particularly on the west coast of Ireland, will not get much high-quality IT industry unless they accept large power transmission lines. As I said, I live with them in my constituency. Does the Minister hope for a review of the policy of overgrounding?

The Co-Chairman (Mr Niall Blaney TD): Thank you, Members, for your cooperation. We will have a final wrap-up from the Minister.

The Minister for Communications, Energy and Natural Resources (Mr Eamon Ryan TD): I will try to be brief because I believe that time is tight.

On wave and tidal power, I cannot remember the exact figures, but my memory is that, in the next five years, we hope to generate some 75MW on a trial basis, as it were, and we have a target of some 500MW within a decade and a half. It will take time to find out which technologies work best. That relates to Alun Cairns's question as well.

Co-operation is not formal in the sense that there are a number of locations. Portugal has an offshore array connection, or electricity grid connection, and we are developing one off the west of Ireland as well as a test site in Galway bay. I understand that a lot of work is being done off the Orkneys and the east coast of Scotland. I believe that the Irish company OpenHydro has a test device in the Orkneys, and the UK company Pelamis Wave Power is considering projects in both Portugal and Ireland.

The process is largely one of private sector investment on the back of state investment, particularly in grid connection and testing facilities. We will not know for five years or so which technology will become economic, but it is right to take a bet that one of them will and to set our sights on becoming world leaders in that developing area.

On the electricity prices in Wales, I am afraid that I have to bow to my lack of detailed knowledge of the regulatory system or the market system there.

I will take one point from what Rosemary Butler said. I forgot to say in response to Alistair Carmichael that I believe that, rather than hydrogen-powered vehicles or necessarily—

[Temporary loss of sound recording.]

On the overall transmission system outside urban areas, our internationally led study by Ecofys consultants concluded that it is not technically possible at present to put underground the transmission network that we need to capture the energy and to create jobs. That is the technical reality that the consultants described, which must steer the direction that we should take.

I am sorry if I have skipped some questions. Joan Burton asked about investment. Energy provides an interesting general example of the different experiences in different countries. In the UK, the market is pretty much liberalised—I understand that six main companies operate there. We are engaged in a similar process, which comes from the European policy of moving towards an open and competitive market, but our position is slightly different, because we have incumbent state-owned providers in gas and electricity.

We are trying to maintain a position in which the state-owned Electricity Supply Board has less than 40 per cent of the market, but it is still a significant player. It has set itself on a zero-emissions course and it has a €22 billion investment plan to achieve that. ESB is a state company, but it acts in a competitive private market. We will invest through state companies and those companies will act in a competitive private market.

My last point is about energy security. It will be interesting to look out for the “World Energy Outlook 2008” from the International Energy Agency this autumn. Each year recently, the agency has made increasingly strong statements about energy security and the future availability of cheap and easy oil. It behoves all of us as parliamentarians to examine that report, which will contain the first field-by-field analysis of world oilfields. The increasingly strong language to describe the energy security situation that is used by the organisation, which has been conservative and cautious, should frame all our thinking about how we protect all our constituents’ interests.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you very much. You have had 17 contributors and questioners and we have all found your presentation excellent. Your informal engagement with everybody has been particularly appreciated and we ought to show our appreciation. *[Applause.]*

As a small token of our appreciation, I give you one of our ties. If you ever face a difficult time in questions or whatever in the Dáil in the next few weeks, the opposition will melt away when you wear that tie. Thank you for coming.

4.00 pm

BUSINESS REPORTS FROM CHAIRMEN OF COMMITTEES AND RESPONSES TO PREVIOUS REPORTS

The Co-Chairman (Rt Hon Peter Hain MP): I thank Mr Niall Blaney TD for chairing the previous item which finished bang on time. The next section of the afternoon agenda is important but I intend to finish it at 5.30 pm because we have a tight timescale for catching the bus to Alnwick Castle.

If Members agree, I intend to conflate the business by taking together each business report with the motions on the response to it, Committee by Committee, apart from Committee B as we do not have a written report on future work.

Mr Jim O’Keeffe TD will begin with his interim report on the work of Committee A on cross-Border co-operation and will move the acceptance of the Government reply at the same time. Lord Dubs also wishes to speak on this.

Committee A (Political and Sovereign Affairs):

“ID Cards and the Common Travel Area”

“Penalty Points”

Mr Jim O’Keeffe TD: I beg to move

That the Body takes note of the response of the United Kingdom Government to the Report from Committee A (Doc No. 119) entitled “ID cards and the Common Travel Area” (Doc No. 138).

and

That the Body take note of the interim Report of Committee A on Cross-Border Cooperation between Police Forces (Doc. No. 140), and of the conclusions and recommendations of the Report, which should be forwarded to both Governments for their comments.

For many reasons, I will be brief. Three issues are raised. The first is that the Body take note of the response of the British Government to the report from Committee A entitled “ID cards and the Common Travel Area”. This report, which we produced in 2006, focused on the possible impact on the operation of the common travel area of proposals by the UK Government to introduce ID cards and proposals to develop e-Borders.

Last April, we received a response from the Home Office on the issue of e-Borders in the common travel area. The Committee’s recommendation is that I, as Chairman of the Committee, will make contact with the Irish Government on developments in this matter and my shadow chair, Michael Mates, will make contact with the UK

Government for an update. We will provide a full report to the next plenary meeting in Donegal. This is my report on this issue.

The next matter is a proposal that the Body take note of our interim report on cross-Border co-operation between police forces. At a previous meeting, Committee A undertook to prepare a report on the level of cross-Border co-operation between the Garda Síochána and the PSNI. I will provide the Body with an interim report to date with a view to having a final written report for debate at the plenary session in Donegal.

The Committee has met separately with the Garda Commissioner, Fachna Murphy, and the PSNI Chief Constable, Sir Hugh Orde. We also met with Briega and Stephen Quinn, the parents of Paul Quinn, and I conveyed to them the sympathies of the Body on the loss of their son. The Quinns are a brave family. Not only were they anxious to share their tragic story with us but they looked beyond their personal loss to seek a positive outcome that would benefit the community. I am glad to see both police chiefs confirm the closest co-operation between the two forces on the investigation into the death of Paul Quinn. Without in any way prejudicing up to date developments I am glad to note there have been arrests on both sides of the Border in recent times.

Both forces stated they exchange information regularly on many issues, including smuggling, drink driving and road traffic policing. Joint training also takes place in the areas of policing and management. An issue of exchanges of officers between the forces has arisen which I will discuss further. A high level of co-operation exists between the Criminal Assets Bureau, CAB, in the Republic and the Northern Ireland representatives in the Serious Organised Crime Agency.

A number of issues arose during our discussions with the police chiefs with regard to the criminal justice system. This gave rise to concerns on our part that we should examine them further and see whether we could recommend possible improvements.

We discussed the benefits and disadvantages of joint investigation, which are provided for under European law, and the limitations inherent in the current system under which they operate. This system is called "parallel investigations" and has considerable limitations. This is one of the issues we will examine further.

No secondments have taken place between the two forces. We had detailed discussions with both police chiefs on this matter and I am glad to confirm that secondments at superintendent level are due to begin on 15 January 2009. The outstanding issues have been resolved. However, other issues exist with regard to members applying for permanent positions in the other force.

We have assembled a large amount of information for our report and further work must be done. We propose to meet with the Minister for Justice, Equality and Law Reform and officials from the Department in Dublin and with their equivalents in the

UK. Once we have done so we will submit a full report for debate at the plenary session next March. On this basis, I ask that the Body note the interim report.

For some time, the Committee has been examining the issue of penalty points. The greatest living expert in the world on this matter is Lord Dubs so rather than me attempting to translate his thoughts and views I will ask him to make a brief report.

The Co-Chairman (Rt Hon Peter Hain MP): I thank Mr Jim O’Keeffe for the work Committee A has done and for the work he personally has done. It has made him hoarse in the process with which we sympathise.

Mr Jim O’Keeffe TD: It might not be the only reason.

The Lord Dubs: To say I am the greatest living expert is a total exaggeration. It is at least five years since Brian Hayes and I were asked to be joint rapporteurs to look into the question of penalty points and see what could be done. It will be at least another five years before we can report proper progress. This would be laughable were it not for the fact that we believe that having a proper system of penalty points incurred on both sides of the Border would save lives. Many people drive dangerously when they leave their jurisdiction. At present, the sanctions are few and far between.

I have been dealing with extremely helpful officials from Northern Ireland. However, it points to the fact that if we had links at political level with BIC we could exercise more pressure and things would move faster. It is not reasonable to lean on officials, and I do lean on them, when they are not the people who determine the timetable. It is slow and I repeat that lives would be saved if we got this in place.

I will explain briefly the difficulties. When we started on this, we were amazed to discover that a driver disqualified in Great Britain was not disqualified from driving in Northern Ireland and *vice versa*. This has been put to rights but it is astonishing when one thinks about it.

The next stage, which we hope will be achieved by April 2009, is that if a driver is disqualified anywhere in the United Kingdom, he or she will also be disqualified in Ireland and *vice versa*. This is not now the case. However, both sets of disqualifications, the ones which exist and the ones to come, only apply for offences for which one is disqualified immediately. They do not apply to the totting up of penalty points.

We have the ludicrous situation whereby 12 points will disqualify one in Britain or Northern Ireland, but a driver with 11 points against him or her in Britain and a further 11 points against him or her in Northern Ireland is not disqualified even though he or she has 22 points. This is almost an “Alice in Wonderland” situation and it does not help with road safety.

We hope the recognition of disqualification will happen. However, this would make

the difficulty with penalty points even greater. It will require legislation to sort it out even between Northern Ireland and Great Britain. As for sorting it out between anywhere in the United Kingdom and Ireland it is even more difficult given that in each jurisdiction an offence attracts a different number of points.

If a driver from Dublin gets three points in Belfast for an offence which would have resulted in only two points in Dublin, and these three points bring him or her to the point of losing his or her licence an interesting legal action could be taken to establish whether he or she should be disqualified in Ireland given that had he or she committed the offence in Ireland he or she would only have received two points which would have brought the total to 11.

Many bizarre situations will arise. All I say is that we are determined to push it on. We have made progress on the matter of disqualifications and dealing with penalty points is some way ahead. I urge all people here to use their influence within their jurisdictions to see whether we can apply pressure. I hope that before too long we will be able to engage as a Body with BIC and push it further, as it is within BIC that some of these discussions are taking place.

The Co-Chairman (Rt Hon Peter Hain MP): This is a concrete example of the work of this Body as I understand it, producing a real issue which needs to be resolved on a cross-Government basis which has been described, before I formally put the motions moved by Jim to the vote to be agreed, does anyone have questions on contributions?

Mr Alasdair Morgan MSP: I hesitate to add more to the workload which has already taken a long time but will the Committee consider extending its work to examine the licensing of goods vehicle operators. The south of Scotland is on the main route of traffic from the Republic of Ireland and Northern Ireland to the UK and we suffer due to a number of cowboy operators. There are indications that they employ foreign drivers from the rest of Europe. When they push them too hard and encourage them to break the law and the driver is caught, the driver may lose his or her licence and get sacked but the operator simply employs somebody else.

Because of the various regimes for operating goods vehicle licences, it is difficult for one jurisdiction to pick up an operator in another jurisdiction. I received a letter from the Traffic Commissioner for Scotland expressing concern that in Scotland we cannot necessarily get to grips with operators on the Irish side of the Border. Will the Committee investigate whether this is true. It would be extremely helpful.

The Lord Cope of Berkeley: I was struck by the letter from the Chief Constable of the PSNI in which he stated the primary concerns of the PSNI regarding cross-Border co-operation relate to the early phases of an investigation. He spoke particularly about the transmission of exhibits from one jurisdiction to another, the admissibility of evidence obtained in one jurisdiction in proceedings in another and the powers of police officers to question a suspect in the other jurisdiction across the Border. He thinks these are some of the most important matters and the Committee should pay

attention to this in its future work. It is highly relevant in some respects to the matters we discussed this morning with regard to the appalling bombing in Omagh which is a good example of a crime with all sorts of cross-Border implications for the criminal justice system as well as everything else.

Mr Johnny Brady TD: I would like to be associated with the other speakers in complimenting Mr Jim O’Keeffe TD and Lord Dubs on the report. I cannot understand why it is taking so long for penalty points to be recognised in each jurisdiction. As a driver who uses the N3, the N2 and the M1 regularly, I see the amount of traffic coming from Northern Ireland. There are many reckless drivers in every jurisdiction whether in Northern Ireland or the Republic. I understood that both Ministers have met on numerous occasions and I thought this was almost clarified and about to be agreed. Two years ago, we were told it would take approximately two years and like Lord Dubs I am disappointed that it is still ongoing. It is about time that it came to an end.

Mr Willie Clarke MLA: Does Jim O’Keeffe agree the devolution of policing and justice to the Assembly in the North will improve the work of policing on the island of Ireland in general. Has Jim taken any evidence with regard to the devolution of policing and justice?

The Co-Chairman (Rt Hon Peter Hain MP): A neutral question there. Personally, I sympathise with it.

Mr Seymour Crawford TD: As Johnny Brady did, I wish to comment on the serious matter that this has not yet been sorted. One has only to drive on the M1 to realise that at least four out of five cars which pass one when one is driving at the speed limit or slightly above it have different registrations. I do not state that it is any better North of the Border in the other direction because people from South of the Border know they will not be caught North of the Border. This is urgent and everybody must do as much as they can within his or her jurisdiction.

The total commitment and involvement of the Garda Síochána with the PSNI in South Armagh on the Quinn affair was something to be witnessed. I congratulate both forces on their efforts. Unfortunately, they have not received co-operation as of yet.

The Lord Maginnis of Drumglass: I picked up one part of Jim’s very good report and I thought it was inopportune and certainly untimely. This is the situation which faces us in Northern Ireland whereby ten years after the Belfast Agreement we still have ongoing a 50-50 recruiting arrangement on a sectarian basis which has militated against my tradition. I cannot be starry-eyed about policing in Northern Ireland and I will be quite blunt. I believe it is a great deal less effective that it has been in the past.

We have problems to sort out. There is the pressure to devolve policing. I do not think we can do this when we have a multitude of ongoing inquiries. These are

historical inquiries which, whether they do our conscience good, are not doing policing good.

They divert resources and police time and we would be mad in Northern Ireland to seek to inherit this sort of historical backlog.

I am not opposed to secondment from other police forces. It might be beneficial. However, I will be blunt and state that if we incorporate permanent exchange my tradition would find it negative and unhelpful. It would be seen as conspiratorial under the present circumstances. I urge that any report being brought in this sense should be more timely. Otherwise we will add to the multitude of problems and the amount of distrust that still exists despite all of the efforts we have made.

4.15 pm

The Co-Chairman (Rt Hon Peter Hain MP): Before I ask Mr Jim O’Keeffe TD to respond and put the motions for agreement, I wish to give notice to Margaret Conlon TD that I will call on her next for the report from Committee C.

Mr Jim O’Keeffe TD: I thank the Members for their responses to what are interim reports. I can anticipate the debate on the full report in Donegal will be quite lively. I will touch on the points raised.

Mr Alasdair Morgan MSP raised an issue with regard to the licensing of transport operators. To some degree, it is related to the issue of penalty points. I will put it on the agenda for the next meeting of Committee A. It will probably involve a separate investigation. We will give consideration as to whether we will examine it and make a report on it.

Lord Cope put his finger on the very reason I did not make a full report today. Serious issues arose in our discussions with the two police chiefs and a number were highlighted in the letter from Sir Hugh Orde at the end of August. The extra time will provide us with an opportunity to investigate the issues raised at our meetings and in the letter and include responses and recommendations from the Committee in our report.

Mr Johnny Brady TD and a number of others mentioned penalty points and I will leave comments on this to Lord Dubs. Clearly, it is a minefield. Some progress has been made since we started but we have a long way to go.

I got sight of Northern Ireland politics from two angles with regard to comments on devolution of policing and criminal justice matters. It is not a subject for us in our examination of North-South co-operation. I should make my position clear. As far as I see it, the issue of devolution was agreed and what is being discussed is when it will take place. I hope the parties will clear the current impasse and deal with these issues.

It is a matter for them to do so as soon as possible.

Mr Seymour Crawford TD rightly referred to the absolute co-operation that took place and was very much evident in the Quinn investigation. It was highlighted by both police chiefs. He also mentioned the fact that despite the co-operation from the two police forces there was not full co-operation from everybody else and as a consequence there are still outstanding issues to be resolved although recent arrests have been made.

I note the point made by Lord Maginnis on recruitment. I respect his viewpoint but to be honest it is not an issue which we are investigating in the context of North-South co-operation. I thank the Co-Chair for the opportunity to have this brief discussion. I look forward to a full and lively discussion when we bring the final report to plenary in Donegal in March.

The Co-Chairman (Rt Hon Peter Hain MP): I thank Jim O’Keeffe TD for the work he has done. My Co-Chair has probably noted his request for a full discussion and will take it into account when he draws up the agenda.

Questions put and agreed to.

Resolved:

That the Body takes note of the response of the United Kingdom Government to the Report from Committee A (Doc No. 119) entitled “ID cards and the Common Travel Area” (Doc No. 138).

Committee C (Economic):

“Renewable Energy Except Nuclear”

The Co-Chairman (Rt Hon Peter Hain MP): I call on Margaret Conlon TD to give her report on the work of Committee C and move the motion.

Margaret Conlon TD: I beg to move

That the Body take note of the report of Committee C on Renewable Energy except Nuclear (Doc No. 139), and of the conclusions and recommendations of the Report, which should be forwarded to both Governments and the devolved administrations for their comments.

As a new Member of the Assembly attending my first plenary session, I am delighted to be here and I thank every Member for the warm welcome shown to me.

I am happy to confirm that Committee C has completed its report into renewable energy excluding nuclear energy and I will speak about this in a few minutes. The Committee has also agreed our topic for the next inquiry and we intend to examine apprenticeships and skills provisions. We hope to take evidence from apprenticeship and skills providers and examine models of provision throughout the jurisdictions,

those which work well and those which do not, in order to recommend best practice.

We also want to gauge how well the apprenticeship training and skills being provided correspond to employer needs. This is particularly important to get right in these economically challenging times. We would like to hear from employers to understand how much they are willing to invest in the training and upskilling of their staff and the reservations they may have in making this investment.

We will examine the education systems in place and we hope to hear from people who have been through an apprenticeship scheme or programme to learn first-hand their experience of the system, its successes and failures. We also want to examine how we can provide incentives to encourage young people to take up apprenticeship positions and how employers might be encouraged to take them on.

The fear is that if an employer provides an opportunity for a young person to take up an apprenticeship and the young person avails of it, becomes qualified and subsequent to qualifying moves on elsewhere, this causes an opportunity cost to the firm. We want to examine this.

We have provisionally agreed a first evidence gathering session in London on 8 December, with subsequent meetings to follow in Dublin and one of the devolved administrations. This new inquiry is timely and relevant in the current economic climate. We look forward to beginning work on it and we hope to be in a position to share our findings at this time next year.

I was delighted to be appointed Chair of Committee C which deals with economic matters. I was particularly glad to participate in the inquiry into the important area of renewable energy, albeit at the end of the inquiry, the results of which I am pleased to present today. Copies of the report are available at the back of the room. I thank all Members of the Committee for the time and effort they dedicated to the inquiry.

Earlier, we heard from the Minister for Communications, Energy and Natural Resources, Eamon Ryan TD, and we would all agree that in these economically challenging times it is more important than ever that we capitalise on the efficient, productive and sustainable energy sources uniquely available on these islands.

The Committee heard evidence from many energy providers and Members were struck by the range of energy solutions available from large-scale enterprises such as Eirtricity and Fife Energy to the rural regeneration scheme in Derry where willow is grown as a bio-mass fuel.

We were also reminded of the role played by the individual not only in helping to conserve the energy resources we have but also in taking the brave and ultimately rewarding step of investing in new renewable technologies in their homes. We heard from Tim Cooper of the Irish company Coolpower, who highlighted the amount of domestic energy which can be wasted through often unnecessary household use,

particularly electrical systems which by their very design cannot be turned off.

Investment in renewable energy technology that matches output to load is a solution we all need to seriously consider. I was impressed by steps taken to ensure new Bills are more energy efficient. The Committee would welcome more consumer-based incentives to encourage capital investment in renewable energy technologies.

It is clear to us from the range and scope of evidence taken during the inquiry that we cannot expect one form of renewable energy to satisfy all our needs. Diversification of supply is essential but with this comes the responsibility of choice and the question of which supply to choose. Offices such as the Parliamentary Office of Science and Technology in Westminster, which provides independent non-partisan information are essential in enabling policy makers make these informed choices and decisions.

I was most struck by the interconnectedness of all the Member administrations of the Body. If tidal energy is harnessed in England and Wales, it will cause a tidal reaction in Wexford in Ireland. The cross-jurisdictional inquiries undertaken by the Body are important in making us aware of this interconnectedness. They help facilitate a more joined up approach to policy making which can only benefit us all.

I listened to the many worthwhile contributions which followed the Minister's comments. I pay tribute to my Committee colleague and Vice-Chair, Mr Paul Flynn MP. He has been involved in this inquiry from the beginning and his enthusiasm and commitment to it are borne out by the varied and thought-provoking report we present today.

The Co-Chairman (Rt Hon Peter Hain MP): I thank the Committee for its work.

Mr Michael German AM: I particularly welcome recommendation No. 17.2 regarding the point made by Margaret Conlon TD on diversification. No one solution will fit everybody and every side. I was surprised the report did not contain any mention of tidal energy which is enormous. The report mentions marine power and wave energy but tidal energy is different. An issue which the Chair mentioned at the beginning of her contribution is the harnessing of the tidal powers of the Severn.

The major problem with this, which illustrates recommendation No. 17.2 not to put all one's eggs in one basket, is at the current rate of knots the earliest possible opportunity when the tidal system of the Severn could be harnessed would be 2020 and all large engineering projects can slip a little. Many of us may have moved on from this Assembly to other spheres by the time such energy becomes available.

This is not about examining a barrage. There are three barrage options in the Severn tidal estuary, a small one, a medium sized one which most people consider as being an option, and a much longer one which is roughly from Minehead to Swansea and would have a greater impact on Wexford than anything else. There are also tidal fences and tidal lagoons, all of which have been examined in the study. It will be

some time before the technology catches up with the opportunity to create designs. I suspect that given that we have no tidal lagoon anywhere in the world, we will not be in a position to commercialise the opportunities from it for some time. My guess is that over a period of time we will want a barrage, lagoons and a fence in various parts of these islands and probably a mixture of all three technologies where tide plays such an important part.

Earlier, the Minister raised the matter of interconnectors. A planning application has been made by EirGrid, which is opposed, for an interconnector from Deeside to Ireland within the next couple of years. The application is for a very long electricity connector between Wales and Ireland. The reason for going to Deeside is because it will connect into the main sources of the connector for large centres of population including Manchester, Liverpool and north-east Wales.

4.30 pm

A second application to create an interconnector has been made by Imera. The Minister spoke about technology making it much easier to put undersea cabling in place. This opens up the prospect of connecting to this cable with deep sea offshore wind. We know we will have a number of redundant offshore oil and gas platforms as production ceases or reduces in the North Sea. The technology for putting deep sea wind in place is simple. The problem is that one needs a plug to connect it. Here we have two proposals for connectors. However, I have not seen a proposal for deep sea wind opportunities to be put in the middle of the Irish Sea. Potential could be lost there if it is not considered.

With regard to sub-sea technology improvements, over the next 20 years we will see opportunities to develop a series of connectors up and down the Irish Sea, north and south and east and west. When we lower these cables onto the sea bed we lose opportunities to generate energy above the sea.

The Lord Gordon of Strathblane: Margaret Conlon TD summed up the work of the Committee admirably. I wish to emphasise another sub-point which came out in our discussions and was mentioned by the Minister this afternoon. In the UK, the national grid was designed as a distribution system. It was not designed to accept contributions. This of itself militates against the development of small renewable energy projects.

The powers that be will have to have in mind variegated sources of energy in determining the shape of the national grid mark II because I understand it is in need of replacement anyway so the cost is not entirely due to the fact that we need to redesign it. The other caution worth including is the law of unintended consequences. A good example of this is bio-fuels and the meteoric rise in food prices abroad.

This leads me to reiterate Margaret Conlon's praise for the work of the Parliamentary Office of Science and Technology, POST, in Westminster. When we

went on safari, the various proponents of the new technologies paid lip service to the idea that one technology alone will not serve all. What they really meant is that if the Government gave them enough money they would cure the nation's energy problems. We all know this is nonsense. We need disinterested advice expertly evaluated by an independent body. When the Committee met with POST, people from various jurisdictions were impressed by its work. It could be replicated in the devolved institutions and in Ireland greatly to the benefit of a debate such as this.

Deputy Johnny Brady TD: I wish Margaret Conlon TD well as Vice-Chair of the Body and Chair of Committee C and I compliment her on the report. If the Committee examines renewable or alternative energy in the future I would welcome it to County Meath to the company I mentioned to the Minister, namely, Timber Pro in Kells. The management would be glad to meet Margaret Conlon TD and to discuss the issues with the Committee.

Mr Paul Flynn MP: We are in danger of overdosing on renewables today. We had the wonderful tour de raison by the Minister and he summed up many of the conclusions we reached during our visits to Scotland, Northern Ireland and Donegal and at the hearing in London.

This was by far the best Committee session I have experienced on this body, particularly the hearing in London where, under instruction from Baroness O'Cathain we disciplined ourselves to having a series of hearings which were very like select Committees where we got maximum value from the questions and our time, rather than tramping around miles of countryside as we did on our first visits.

Mr Michael German AM is correct to point out the gaps. There are bound to be areas we have not covered because we did not hear evidence on many of them. However, I share fully his enthusiasm for tapping the great surges running unused around the coasts of these islands and between the Channel Islands. In Guernsey there is a huge tidal race. This is a vast, almost infinite, amount of power which is clean, British and eternal. The technology to exploit it is very simple and has been used in the past in La Rance. We had plans to examine this and possibly visit La Rance which is in Brittany but we did not do so.

The impression we have from the report is of the difficulty, which was mentioned by Lord Gordon, of small enterprises getting onto the grid. We know Germany has been successful in using feed-in tariffs to get 25 per cent of energy from renewable sources.

This is the way ahead and the United Kingdom adopted a policy last week. The ferment of activity, brain power and creative work in this area is staggering. We all come away from this report with a great feeling of enthusiasm to get on with this and see a development of the diversification of these sources which are available so that our great-grandchildren will have a habitat in which they can survive.

Deputy Graham Guille: I compliment the author of this most excellent report and I will offer the Assembly a brief overview of what my Government in Guernsey is

doing in the field of renewables.

The island Parliament recently completed work on an energy policy which will set out its energy requirements until 2040. My Government's intention is to move progressively towards carbon-free electricity generation, seeking ultimately to produce the bulk of our power requirements from large-scale tidal generators. We are confident that these plans are feasible, particularly in the longer term. As Members know, the islands lie in the gulf of Saint-Malo. All of islands experience extremely strong tides and these result from having a tidal range in excess of 10 metres.

For some years, the Guernsey electricity utility has been a shareholder in the company Marine Current Turbines. As we heard earlier today, this company is working at Strangford Lough in Northern Ireland. Another company mentioned today was the Irish company, OpenHydro. Members might be interested to know that in the past Guernsey and Jersey receive electrical power from the European grid and from the French nuclear facility at Flamanville. Earlier today, Joyce Watson stated we need to work smarter and this is an area in which we can work smarter. It will bring real benefits to all of our communities.

The Co-Chairman (Rt Hon Peter Hain MP): I apologise to Seymour Crawford but we are running out of time and we must deal with two more reports.

Questions put and agreed to.

Resolved:

That the Body take note of the report of Committee C on Renewable Energy except Nuclear (Doc No. 139), and of the conclusions and recommendations of the Report, which should be forwarded to both Governments and the devolved administrations for their comments.

Committee D (Environment and Social):

“The Integration of Newly-Arrived Migrants”

The Co-Chairman (Rt Hon Peter Hain MP): I call on Lord Dubs to report on the work of Committee D.

Lord Dubs: I beg to move

That the Body takes note of the report of Committee D on “The Integration of Newly-Arrived Migrants” (Doc. No. 141) and of the conclusions and recommendations of the Report, which should be forwarded to both Governments and the devolved administrations for their comments.

Committee D has just completed its report on the integration of recently arrived migrants to Northern Ireland, Ireland and Wales. At the outset, I wish to thank Members of the Committee, in particular co-chair Johnny Brady and Audrey Nelson and Deirdre Clarke who did valuable work, and all of those organisations which gave us evidence.

We went to Dublin, Belfast and Cardiff and did not visit any of the other places we could have, much as we would have liked, because of time. It would have taken too long. We believe we have found conclusions which are more widely applicable. In particular, we looked for best practice and examples of co-operation.

I will go through the findings briefly because many of them were common to all the jurisdictions and not unique to one of them. One strong plea was to have more English as a second language teaching opportunities. Everywhere it was felt that newlyarrived migrants, and by this we mean those who arrived within the past five years, had great difficulty in coping with life in a new country when they did not speak the language and had no help to learn it.

An example of good practice is the effort made in Wales to provide an information pack and I have one with me. It is produced in many languages. We also welcomed the useful study on integration and migrants by University College Dublin on which we have drawn quite extensively. Throughout our work is an emphasis on the need for training of those staff who work with migrants or people who interface with them whether in the voluntary sector or employment agencies.

We were very concerned about the way in which some employers exploited migrant workers. We felt there should be a code of conduct, perhaps voluntary to start with and statutory later, to govern this and lessen the chance of exploitation particularly as we discovered from trade unions that had difficulty in getting access in certain plants to migrant workers to help represent them and therefore to protect their rights.

In all jurisdictions, there is a lack of reliable statistics and we feel policies could be better developed if there were reliable statistics on how many people are involved, particularly as there is a perception now that a certain number of those who arrived recently are returning to their countries, particularly the Polish.

Local authorities have an important role to play in direct service provision and in overseeing the provision of services by voluntary organisations and others to ensure migrants are better helped. The possibility of considering a one-stop advisory centre and services for migrants has something to be said for it and we have models from where it has worked well.

I will return to the point on the exploitation of migrants and this occurs in housing, whereby some employers exploit them shabbily by providing limited housing where they must share sleeping accommodation across shifts, the difficulty trade unions have in representing people and the need to provide better health and safety

training.

Another point came up by chance when I was being driven back by the Lithuanian Ambassador to London. It was not something one could evidence but I think it only fair to mention it. He stated that in Ireland Lithuanian is a language on the school syllabus whereas in Britain the GCSE does not include Lithuanian. This hampers some Lithuanian families in Britain and who want their children to learn the language as part of the school curriculum. I will simply throw this in as an extra.

This is what I have to say on the report and, if the Co-Chair allows it, I will also outline what Committee D wants to do in the future, which is quite different.

4.45 pm

Some time ago, the Steering Committee urged us to consider a report on climate change. Committee C has done some of the work for us and in collaboration with Committee C and the Steering Committee, this morning Committee D agreed to examine climate change.

At first sight there would seem to be some overlap with what Committee C has done but I do not think there is any. We will examine the renewable element of climate change with particular reference to the level of co-operation across the jurisdictions and how it might be improved, sharing best practice and identifying the place of the public sector, that is Government and local Government, in furthering the development of renewables and in the debate. We have heard examples of private companies which are not part of anything wider than producing information. These matters will not conflict with the report by Committee C but will build upon it and use the work which has been done. Today, the Minister spoke clearly and helpfully on cooperation across the jurisdictions.

Mr Chris Ruane MP: The final evidence session was on 6 and 7 July in south Wales. We should remind ourselves of the economic developments since then and the impact they will have on migrant workers. The report highlights that the UK, Ireland and Sweden had open borders for the ten new EU member states whereas the rest of the EU did not. Our economies have benefited since then and we have had faster growth rates and better employment rates.

However, since September the world has been in economic turmoil and the position of Germany, France and the other large EU countries which stated they would be prepared to open their borders to other EU workers may change. The issue of migrant workers being spread throughout the EU may change and the UK, Ireland and Sweden may continue to take the majority of these workers.

During the past year we saw the value of sterling compared to the euro changed by 17 per cent. The report highlights that many of the people who come here to work are young people who do so because they want to send remittance back to their home countries. Their ability to send these funds back has been dramatically

reduced. This will have an impact on the attractiveness of coming to the UK and Ireland and on the decision by migrants to leave the British Isles and return home.

An expanding economy needs migrant workers. However, already we have seen in certain sections of the British media a backlash against migrant workers. We do not know what this will be like in a contracting economy and we must be mindful

Genuinely good suggestions have been made in this report and we must highlight them. When the report is sent to the constituent Governments we should be specific with what we would like to see, perhaps a summary of the summaries with the specific points to which we want responses.

The report examined best practice in Wales on the migrant worker packs and language schools. It also examined the trade union membership and the number of inspectors. The report states there are more dog inspectors in Northern Ireland than there are of inspectors examining migrants' conditions. Employers may adopt the stance that they want to cut costs and corners and who better to do it to than migrant workers who do not understand the language and who are not properly protected by trade unions. They may face the brunt of a public, social and economic backlash.

The Co-Chairman (Rt Hon Peter Hain MP): I ask Johnny Brady to take on board the points made on asking the Governments for specific responses.

Mr Johnny Brady: I will.

The Co-Chairman (Rt Hon Peter Hain MP): I call on Dr Dai Lloyd.

Dr Dai Lloyd AM: Diolch yn fawr, Cyd-gadeirydd. I thank the Co-Chair. I will begin by commending the work of Lord Dubs as chair of Committee D and in particular I thank Audrey Nelson and Deirdre Clarke who as clerks have successfully assimilated the combination of confused ramblings and random thoughts of Members and the detailed testimony we heard in evidence into a coherent whole.

As was alluded to, Committee D was very active and went to Belfast in March, Dublin in June and Cardiff in July and took a wealth of evidence from a variety of bodies including public councils in reaching its detailed conclusions. From the evidence, it is obvious that migrant workers plug gaps in labour markets but they can face exploitation—I do not think this essential truth will escape—regardless of the background economic climate.

The main points from our report, which is titled “The Integration of Recently Arrived Migrants to Northern Ireland, Ireland and Wales”, to be directed for action to the relevant Governments and no doubt to all Governments in these islands include the need for a database. It became obvious from the evidence that we do not know how many migrant workers there are. This is a fact. We need better collation of the evidence.

There is also a major need to greatly increase the number of classes to teach English as a second language to migrant workers in the three jurisdictions and presumably all other jurisdictions in these islands. The evidence we heard was that by and large migrant workers could not communicate through English. Classes to teach English as a second language were oversubscribed and not available and there were no flexible or short-term options as regards teaching English as a second language. Many migrant workers went without such provision. Without being able to communicate in English in these islands one cannot find out what is going on, what are one's rights and entitlements and how to access the system for child care, health and education.

The Welsh Assembly Government has produced a welcome pack in a variety of eastern European languages, which Lord Dubs is thumbing through as I speak. It provides a rich source of information for migrant workers in Wales. The evidence we took was that people representing migrant workers and migrant workers themselves greatly appreciated the appearance of the welcome packs in Wales.

With regard to the exploitation that some migrant workers face, the current application of gangmaster legislation appears inadequate in terms of total protection.

More protection is needed to prevent the exploitation of migrant workers as they reach these islands.

I commend all Members to read what is an excellent and comprehensive report, wonderfully put together although I say so myself as a Member of the Committee. It is a testament to the ability of the clerks and Chair. What is obvious is that significant challenges remain for all who hope to address the issue of migrant workers. In the short term, the main need is a major increase in the provision of classes teaching English as a second language for migrant workers arriving in these islands.

The Co-Chairman (Rt Hon Peter Hain MP): I was flabbergasted that anybody on this body could be capable of confused ramblings and random thoughts. I thought we were all selected for our cogency, our succinctness and our general brilliance.

Senator John Ellis: I congratulate Lord Dubs and also the two clerks, Deirdre and Audrey, who did a tremendous amount of work which made our job as Members of the Committee a little easier.

With regard to migrant workers, what stood out was the Welsh situation where the pack was provided which outlined their rights in their own languages. It was a charter of rights, which was important. Nowhere else does this to the same level and in some cases, migrants were dependent on citizens' information bureaus and other groups to help them out. These bodies were not in a position to do so because they did not have staff with language capabilities or basic abilities to deal with the problems experienced by migrant workers.

The gangmaster legislation was mentioned by Dai Lloyd and we all saw that there is

minimal regulation with regard to migrant workers irrespective of which country they are in and we must accept this. In some cases we came across exploitation of migrant workers by their own country men and women. They arrived under the supervision of people from their own country who hired them out and paid them as they felt like it and worked under their national legislation.

A couple of years ago in Ireland we had a situation with a Turkish company called GAMA which caused all types of problems with how it treated its workers. It compounded its workforce and kept them in the nearest thing to a boot camp, paid their wages at home and did not pay them anything like the minimum wage. The net result was that the company was tendering for and winning public contracts and completing them with scab labour. This is wrong and cannot be tolerated.

This report will highlight some of the problems which exist. As Chris Ruane said, since we visited Wales the number of those migrant workers who have become unemployed or have returned home will cause serious problems throughout the communities. For some of these migrant workers, particularly those in Ireland, it is more beneficial to remain on social welfare than to return home. This will be of concern to many people.

The most recent unemployment figures in Ireland show that 30,000 people classed as non-national joined the register in the past 12 months. I am not stating they were non- EU citizens but they were non-Irish citizens. This creates a serious burden with regard to what must be done to ensure the integration they hoped to get materialises. They will be the first people moved in the labour force and pushed out. It is a concern which we must examine. When we send this report to both Governments we should ask them in their further investigations to examine the consequences of unemployment for migrant workers as this is frightening for all of us.

5 pm

Mr Willie Clarke MLA: I also pay tribute to Alfie Dubs and the Committee for the work they carried out. I had the privilege and opportunity to attend one of the hearings, which was in Wales, and I found it very informative.

I fear that the downturn in the economy could result in racist attacks. When the indigenous community looks for someone at whom to lash out it is usually migrant workers who bear the brunt of it.

From the Welsh evidence session I gather that a major issue is accommodation being linked to a job. Overcrowded accommodation was another factor. There was a real fear among workers that they could not speak out or unionise. They were afraid of losing not only their jobs but also their homes. This came across in almost every presentation I heard in Wales.

Another issue is access to information. We believe Government offices, such as

police barracks and councils, are the best places to receive this information. However, according to the evidence sessions there are not the best places because of a fear migrant workers have of going to Government buildings and bringing undue attention to themselves. These are just a few points I wish to make and I urge every Member to read the report.

Mr Johnny Brady TD: I thank those who contributed to the debate. The issues raised by Chris Ruane will be taken to the Governments to see whether they can be rectified.

I will not go through all of these issues.

Dr Dai Lloyd raised the matter of exploitation and the fact that we do not know the numbers involved. This is a serious problem. He also raised the matter of English classes. In our jurisdiction many English classes are provided for these people. Unfortunately, in some parts of the country, such as the west and south, there are not as many classes. Perhaps in the part of the country from where John Ellis comes there might not be the same availability of English classes. We will continue to work on this issue.

The issue of more protection for migrant workers is very important. John Ellis mentioned information packs and I believe these should be made available in all jurisdictions. Another issue raised was how workers are treated and how they may not receive the minimum wage. We all know what happened with the company mentioned by John Ellis. The trade union movement has done a great deal of work in this area, particularly with this company, and matters have changed considerably.

Willie Clarke raised the matter of the fear of the downturn in the economy. We as politicians hear about this day in day out and people state there is plenty of work for the migrants but our people cannot get work. This is a problem and I am sure this is being thrown at every politician. We must ensure these unfortunate people are treated well and there is no backlash against them.

Overcrowded accommodation is a serious problem and at our meeting in Dublin I raised it with the Minister, as did other Members. People are living in deplorable conditions and ten or 12 of them could be living in a very small house. It is not fair, right or good enough. As Willie stated, they are not able to speak out for themselves.

I want to be associated with other speakers in complimenting Lord Dubs, on the amount of work he put into this report, and Audrey Nelson and Deirdre Clarke for compiling the report and the amount of work they have done. I thank all Members for their contribution during the various meetings we had.

The Co-Chairman (Rt Hon Peter Hain MP): I thank Johnny Brady. I also thank Lord Dubs who, after what Willie said, I will refer to as Alfie and his co-vice chair Mikey Mates. Do not tell Michael I said that.

Question put and agreed to.

Resolved:

That the Body takes note of the report of Committee D on “The Integration of Newly-Arrived Migrants” (Doc. No. 141) and of the conclusions and recommendations of the Report, which should be forwarded to both Governments and the devolved administrations for their comments.

Committee B (European Affairs)

Mr Robert Walter MP: Committee B met this morning and although we do not have anything to report at this meeting, it is anticipated that we will make two reports to the next plenary.

I will speak about these matters in the reverse order to what I planned because most of the discussion over the past 20 or 30 minutes laid the groundwork for the report we will produce on the consequences of the economic slowdown on EU economic migrants and EU social policy and how these people are covered by it.

We have arranged a meeting in Dublin which will take place on 6 November with the Minister of State with responsibility for integration policy, Mr Conor Lenihan TD. We anticipate arranging other meetings also. We hope to examine entitlement programmes, particularly social security and housing, and the effect on the labour market of migrants who may suffer as a result of the economic slowdown and whether they return to their home countries or stay where they are in the UK or Ireland.

The other report will finish our report on EU security and defence policy and the comparative views of the two Governments. We will meet and take evidence on this on 6 November in Dublin any try to finish this report on the Irish side. We have agreement in principle from the Minister of State with responsibility for European affairs, Mr Dick Roche TD, that he will meet us and we also hope to meet officials from the Department of Defence. We will have a series of other meetings on both reports. We anticipate having two very interesting reports to bring to the Assembly when we meet in Donegal.

The Co-Chairman (Rt Hon Peter Hain MP): That is very encouraging. Do any Members of Committee B or other colleagues wish to contribute?

Mr Charlie O'Connor TD: I am not sitting in my designated seat. I am sitting beside my constituency colleague for solidarity.

The Co-Chairman (Rt Hon Peter Hain MP): I thought it was to keep an eye on him.

Mr Brian Hayes TD: Yes.

Mr Charlie O'Connor TD: He is keeping an eye on me.

I support the Chair of Committee B and from contacts we made today we know the Ministers will be forthcoming and we will have good reports at the next meeting. The Chairman made the point that these are issues of concern to this Assembly. We look forward to having good discussions in Dublin. I am always happy to leave Tallaght and visit Dublin.

The Co-Chairman (Rt Hon Peter Hain MP): It looks like I must make a grovelling apology to Seymour Crawford for not taking his contribution on an earlier Committee report. I thought that we had run out of time.

I have a few short announcements. If any Members wish to be a member of a particular Committee they should approach the clerks to see whether any vacancies exist.

The coach for Alnwick Castle leaves promptly at 6.20 pm and I ask everyone to have boarded the bus by 6.15 pm.

Adjourned at 5.12 pm.

TUESDAY, 21 OCTOBER 2008

The Body met at 9.30 am

SECURITY SITUATION IN NORTHERN IRELAND

The Co-Chairman (Rt Hon Peter Hain MP): I welcome everyone this morning. Archbishop Robin Eames and Denis Bradley will be with us later; they are apparently on their way from Belfast at the moment. I am delighted that we have with us Paul Goggins MP, the Minister of State, Northern Ireland Office, who has responsibility for security in Northern Ireland. Paul is a good friend, despite being a Manchester City supporter, as I revealed last night, and we worked together in Northern Ireland. He is very highly regarded by all those who have worked with him and highly respected among all those who are involved in enforcing security, which is a very good omen for a Security Minister. Welcome, Paul, and we look forward to your address. Paul is more than happy to take questions and interventions from colleagues after he has spoken.

The Minister of State, Northern Ireland Office (Mr Paul Goggins MP): Thank you, Peter. I shall speak for 10 minutes or so, and we can then spend the rest of the session in discussions. If people want to ask questions and make comments, that will be helpful. I very much welcome the opportunity to be here and to meet you and speak with you. This is the first time that I have been to this Assembly, but it is important that senior and experienced politicians, such as yourselves, are here focusing on these issues, and whatever happens in the next few weeks and months, that will need to remain the case. I certainly welcome the seriousness of your debates here.

By any measure, we would declare that the security situation in Northern Ireland has been transformed today compared with some years ago. The word “normalisation” was a piece of jargon used by politicians and security experts, but it now means something to the ordinary people of Northern Ireland, as they experience greater peace and prosperity than in the past.

This year, one tragic murder has resulted from the security situation—the murder of Emmett Shiels—but compare that with 1972, when there were 470 murders in Northern Ireland, as a result of the security situation. This year, there have been 35 shootings in Northern Ireland. That is regrettable, of course, but compare that again to 1972, when there were 10,000 shootings of individuals in Northern Ireland. So, as I come here this morning, I am able to report substantial progress, which shows itself in a number of ways.

Some of us attended a service in St Paul’s Cathedral just a few week’s ago to mark the end of Operation Banner—the military operation that continued for nearly 40

years in Northern Ireland, now at an end. Last summer, for the third year in a row, there were no troops on the streets of Belfast on 12 July—a huge step forward in normalisation and security. We have had successive reports from the IMC, including the most recent one just a few weeks ago that confirms that PIRA no longer has the desire or the capacity to engage in conflicts and, indeed, that the Army Council is no longer operational or functional.

A tremendously positive feature, which has developed in recent years, is that we also have unprecedented co-operation north and south of the border. If we look, for example, at the investigation that followed the appalling murder of Paul Quinn—just a year ago yesterday, of course—we see very close co-operation and collaboration between the Garda Síochána and the PSNI. Also in relation to the dissident threat, which I shall talk a little bit more about in a minute, or indeed to cross-border crime, there is a high level of co-operation between law enforcement agencies north and south of the border.

In my view, three main threats face the people of Northern Ireland at the moment, and the biggest of them, as Shaun made clear in his speech last night, is the threat posed by dissident Republicans. They are small in number. They are disorganised. They have low levels of expertise in the technical aspects of conflict, and they have little support in the community. But it is also true—I have to report this clearly to you today—that there is a very high level of intent among dissident Republicans, intent to kill a police officer, and that has been the case now over many months. We also see, particularly in the recent past, increased activity by dissident Republicans. That is obviously a matter of great concern to me, as the Security Minister, but also to the security services.

If we look at the incidents themselves, we have seen deadly devices in recent weeks in Newton Butler and Jonesborough and a serious grenade attack in Lisnaskea. We have also seen police officers injured in incidents—shootings—in Derry and Dungannon.

More recently, we have seen the use of an under-car booby-trap device, involving a police officer in Castlederg, and an attack on two police officers in Rosslea. Those very serious incidents come from the dissidents. Frankly, it is a matter of massive good fortune that, so far, no police officer has been murdered.

The answer to this threat, of course, depends vitally on the commitment, bravery and diligence of front-line police officers; but, in addition, we need to do a great deal more. First, we must prevent the dissidents from getting their hands on new armaments or, indeed, any greater expertise. In other words, we must stop them becoming a more deadly threat. We must continue the collaboration north and south of the border. I regularly meet my opposite number in the South, and I had a meeting with Dermot Ahern just two weeks ago to review all these issues.

Crucially, we must find ways to divert young people from the hands of the dissidents to more purposeful and constructive activity. Any of us who operates in representative politics knows that, within our constituencies and communities, there

are young people who would be easily distracted by antisocial activity of different kinds. That is no different in many communities in Northern Ireland, and we must stop the drift of young people into the hands of the dissidents.

Finally—this is crucial, too—although there is no general support for dissidents, there is clearly still some cover in communities, and we must get to a point where those communities will give up those people, no longer give them cover and see them brought to justice. We will then truly see the end of that dissident threat.

The second threat comes from Loyalist paramilitaries. It is true, of course, that the IMC has again reported about the fact that there are constructive individuals within Loyalist paramilitary organisations who want to take those organisations and the people involved in a more positive direction. It is true that we have heard statements from the UVF and the UDA that indicate that they want to put their arms beyond reach. But, frankly, that is not good enough, and we have made that absolutely clear and will continue to do so. We require full engagement with the IICD and the full decommissioning of arms. Nothing less than that will do, frankly.

I appreciate that many people in Protestant working-class communities feel left behind, excluded and left out. It is very important not only that we engage with that sentiment, but that the message goes out loud and clear that guns are not the answer to that exclusion and that engagement with politics is the answer. Indeed, given the progress that we have made over the years in Northern Ireland, that is demonstrably true. So, no excuses: decommissioning must come, and it must come quickly.

Very soon, we in government will need to decide whether or not to seek the further renewal of amnesty powers in relation to decommissioning. The current order lasts until February next year. There is a further opportunity to extend those amnesty powers. Frankly, we will need a good reason to go back to Parliament and ask it to grant those powers for a further year. So the moment is here for Loyalist paramilitaries to decide to decommission.

The third threat comes from those individuals, groups and networks involved in organised crime in Northern Ireland. There is great interest in the impact of organised crime. Of course, some of those who are engaged in organised crime are or have been members of paramilitary organisations, although, again, it is important to emphasise that the IMC has made it clear that none of that criminal activity is anymore sanctioned officially by the Provisional IRA. Some come from that background; others come from what is euphemistically called straightforward criminality, whatever that may mean.

One of the aspects of modern organised crime in Northern Ireland is its increasingly international dimension. I say that because, just in recent months, we have found 78 cannabis factories, which have been run by Chinese underworld criminal gangs, growing cannabis not for use in Northern Ireland but for export and use outside Northern Ireland. We have had 71 arrests, and £15 million-worth of cannabis has

been seized and destroyed. We have not seen that aspect of criminality in Northern Ireland until now.

At the beginning of September, a major operation involving the Dutch police, the Garda Síochána and the PSNI smashed a gang involved in running arms and drugs, and it had a considerable amount of money with them as well. Again, an international criminal gang was smashed by good co-operation between policing North and South and, indeed, across Europe.

In the recent Pentameter 2 operation, we have seen for the first time individuals caught up in the scandal of human trafficking. In that operation, four women were found to be the victims of human trafficking, and it is important that we respond to that as well. A new aspect that perhaps comes with greater normalisation is the greater international connection with organised crime and the threat that comes from it.

Again, I can report very high levels of co-operation between the UK-wide law enforcement agencies, such as the Serious Organised Crime Agency and Her Majesty's Revenue and Customs, and including the Irish law enforcement agencies. The Criminal Assets Bureau and the Revenue Commission are very closely involved in many of the things that we are doing. The Northern Ireland-specific agencies—the PSNI and agencies involved in devolved government—and, indeed, representatives of the business community are collaborating.

Nowhere do we see that better than perhaps in the operations room that sits behind the drive against cash-in-transit robberies in Northern Ireland, where we have seen dramatic results even in the past year or so. In fact, such robberies are increasing elsewhere in the United Kingdom, but they have decreased in Northern Ireland, from 51 in 2006 to 22 last year, because of a control room, where the police sit down with the security industry and the Post Office actively to monitor movements of cash across Northern Ireland, ensuring that law enforcement agencies are alert and that the opportunities to raid cash vans as they go around is reduced.

We have recently established a new cross-border fuel fraud group, which involves law enforcement north and south of the border. It is good to see that there have already been major operations, with arrests and seizures, during August and September. Law enforcement agencies have seized some £35 million-worth of drugs over the past three years, although we want a greater proportion of people to be brought to justice for supplying those drugs, not just for using them. We must take out the criminal networks that lie behind the supply of those drugs. Of course that is extremely urgent.

In summary—perhaps we can have some questions or comments after this—it is very important of course that law enforcement agencies continue to counter the threat that comes from dissident Republicans and to confront the organised criminal gangs, but there is a window of opportunity in the next few weeks and months that must be grasped, first by Loyalist paramilitary organisations, which have an

opportunity literally in the next few weeks to start to engage with the IICD and to start to engage seriously in decommissioning, because, as I have said, we in government have to decide in the very near future whether or not to extend the amnesty powers for a further year.

Of course, crucially, over the next few weeks, we will have an opportunity in Northern Ireland for the politicians finally to reach an agreement on the completion of devolution—the devolution of policing and justice powers—and I believe that, when that happens, it will be the biggest signal yet to the dissident Republicans and those few people who support them that the game is up, that the political deal is done and that there is no role and no future for them, and we can ensure that the young people of Northern Ireland, rather being distracted towards those dissidents, can continue to play a constructive role in the further development of a safe, secure and prosperous Northern Ireland. *[Applause.]*

9.45 am

The Co-Chairman (Rt Hon Peter Hain MP): Thanks very much indeed. That was a succinct summary of where we are. A number of colleagues have asked to come in. At some point, I need to hand over to Seymour, as Vice-Chairman, to maintain order, as I have to go out to see Robin Eames and Denis Bradley, to check on the arrangements for their session.

May I ask you, Paul, about the extent to which policing is now right across South Armagh. Can police officers go without facing serious difficulties into areas where they would have once faced them. How is the local community, particularly the younger community, responding?

Mr Paul Goggins MP: Progress there has been enormous. When I first joined you, Peter, two and a half years ago, parts of South Armagh were clearly still off limits in terms of policing. We have seen steady progress in the couple of years since then. It is true as well, particularly once Sinn Féin made its historic commitment to policing, that a signal was sent across many communities that would never have looked to the PSNI for their policing in the past that they should turn to the police. Indeed, Hugh Orde reports to me that that increasingly happens and that there is a higher level of cooperation.

But I would be kidding you if I did not say that there is still some way to go.

We must ensure that those communities where dissidents can still hide and where organised criminal gangs can still operate come clean. They have to co-operate fully, not just in speaking to the police, but in going the stage further to bring forward the evidence that will convict people and bring them to justice. Once we have got that, we will have effective policing across the whole of Northern Ireland. However, the situation is transformed from what it once was.

Crucially, the message is going out loud and clear that the Garda Síochána and the PSNI work hand in glove and that people cannot to manipulate the border to their advantage, as they used to do, and expect to get away with it. Without going into

too much detail, there was recently an arrest, following a very serious find in Crossmaglen, which depended absolutely on the closest co-operation between the police north and south of the border. That is a very strong message to those who would try to manipulate the border in that way that they will not get away with it.

Mr Andrew Mackinlay MP: First, I compliment Paul on his stewardship of these matters. I do not give British Ministers compliments too often—he is entitled to one—

Mr Paul Goggins MP: There is a “but” coming, Andrew.

Mr Andrew Mackinlay MP: But that is the nicest thing that I can say today. May I raise something that he has not touched upon? He is certainly the most appropriate Minister here in the Assembly with whom I can raise my concern. A number of people who were the victims of IRA bombings over the quarter of a century of the conflict, not just in Northern Ireland, but in the Republic and, indeed, in London—a constituent of mine was lost in the Baltic Exchange bombing all those years ago — entered a class action in the United States of America against the Republic of Libya. It was a civil action, not a criminal action. There was a awful lot of support on the Hill for those aggrieved people, and things were going very well. But because of the international situation and the bigger picture, the United States obviously wanted to come to terms with Libya. Over the summer, a treaty was entered into—both it and the appropriate legislation was passed by Congress—that stopped those citizens of the United Kingdom and the Republic of Ireland pursuing that class action.

The charge that I want to put is that the British Foreign Office did absolutely nowt to protect and promote the interests of those people. It neither went to the United States to say, “Yes, of course we understand the bigger picture and the need for the treaty, but before the portcullis falls on this matter, can you ensure that our citizens are not excluded?” United States citizens will get a very generous ex gratia payment from the Republic of Libya; United Kingdom and Irish citizens will not. We did not pursue that with the United States, nor did we pursue it bilaterally with the Republic of Libya, although I understand that the Italians did so. One is just bewildered at what on the face of it — I emphasise on the phrase “on the face of it”—is a pathetic response and approach by the British Government. Even at this late stage, I want to ask, through Paul, if this matter can be picked up. Those people are disadvantaged compared with the United States victims of the Libyan Semtex, given the ex gratia payment. I understand that the Italians have negotiated a deal, but we the United Kingdom neither pursued the matter with the United States of American, nor have we done so with Libya bilaterally. I am very disappointed. The people are angry. They are still fighting, although it looks as though the legislation prevents them from pursuing this in the United States courts. I wonder what can Paul say about that, and if he cannot say anything, will he take it back?

Mr Paul Goggins MP: Well, Andrew, I certainly share your disappointment that it was not possible for the victims in the UK and Ireland to join that action. It is not true to say that nothing was done, but I understand that people obviously feel pretty

angry and sore about the fact that it was not possible for them to do so in the end. I met Jeffrey Donaldson, Willie Fraser and some of the victims who were affected by some of the incidents where there was clearly Libyan involvement. Clearly, they are still suffering—one appreciates that—but in the end, it was just not possible. The Foreign Office led for us, and all my discussions and all the correspondence would confirm that efforts were made, but in the end it was not possible. Of course, all this is in the context of a very different relationship with Libya now and the need to take great care in ensuring that that relationship is protected, because Libya is one of our key allies in the fight against modern international terrorism. So we need to ensure that that relationship is sustained and kept on a stable footing. In summary, I share the disappointment that it was not possible to proceed. It is not true that nothing was done. Efforts were made, but in the end it was not possible.

Mr Jeff Ennis MP: Minister, we are all very disappointed at the continuing high levels of organised crime taking place in the North. That is an extremely difficult problem to crack, and it will not be cracked overnight. But I should like to tease out of you, Paul, whether the problem is getting worse. Are we getting to terms with it. In your presentation, you mentioned one or two high-profile arrests, but is there now a need to consider a different strategy to tackle organised crime, or do you feel that we are still on top of the problem?

Mr Paul Goggins MP: Any modern society will face an issue of organised criminal activity. We face it in your constituency and in mine. We all face it to one degree or another. One of the very positive signs in Northern Ireland has been the development of the Organised Crime Task Force. In any area, we see the agencies working together, but in Northern Ireland, they do so within that very clear framework. What started out as a strategic framework now bears fruit operationally. Whether in respect of co-operation between PSNI, the Serious Organised Crime Agency, Revenue and Customs and, indeed, with the Revenue Commissioners and the Criminal Assets Bureau in Ireland, there is a much higher level of operational co-operation, as a result of the relationships that have been formed in the Organised Crime Task Force.

Northern Ireland has been out front in terms of asset recovery work as well, and people have applauded that. I think that we need to do more, and I have set some pretty ambitious targets for the next two years. I want £14 million-worth of criminal assets to be turned into real cash, £7 million of which would go into front-line policing and the community that is so often harmed and disrupted by criminal activity of that kind. There are some positive signs, but there are clearly many worrying aspects. I touched on the international—*[Interruption.]*

The Vice-Chairman (Mr Seymour Crawford TD): Please switch off your mobiles. There is no point having them on “silent”; it does not work.

Mr Paul Goggins MP: I touched on the international dimension, which is a worrying development. People see new opportunities in a normalised Northern Ireland to pass through and to Northern Ireland to an extent that did not happen before. So

human trafficking, drugs and so on take on that additional dimension. There is still organised criminal activity in the traditional markets—whether in Jonesborough or wherever— and that needs to be cracked down on. We continue to see police action in that area.

One of the messages that we must continually get across—last Christmas, we had a special campaign that tried to focus on this—is that if people think that they are getting a good deal, whether for cheap petrol, cheap trainers or cheap football shirts or whatever, what they are doing is not only probably getting themselves a pretty dodgy deal in terms of the quality of the product that they are buying, but putting their hardearned cash into the hands of criminal gangs, which will use it either for their paramilitary activity or to bring in more drugs, guns and knives that could threaten people's lives and those of their children. We must get that really important message across. Obviously, the police and security services need to take action. We need to collaborate across the border, but everyone has a responsibility to combat organised crime in that way.

Mr Chris Ruane MP: Congratulations, Paul, on an excellent briefing. You mentioned the threat posed by three groups—dissident Republicans, organised crime and Loyalist paramilitaries—and you touched upon the key issue of the devolution of policing and justice and the logjam that has been created by not devolving it. You also mentioned the positive effect that the devolution of policing and justice would have on the engagement of the Nationalist Republican community and the negative effect that it would have on the dissident Republican community. What effect would the devolution of policing and justice have on the other two areas: organised crime and Loyalist paramilitaries. Would it all be beneficial?

Mr Paul Goggins MP: I think that it would all be beneficial, because it is slightly nonsense that we have a Government that only governs so far. Peter Robinson and Martin McGuinness would say that, to have complete government, policing and justice powers must be included as well. In confidence terms, as well as in competence terms, it is absolutely essential that that happens. Those who looked at Loyalist paramilitaries in the past and perhaps still do must be able, with confidence, to look to their politicians to represent them and their interests. If they feel that their communities have had a hard time and have been excluded, those solutions must come from the politicians. Again, if politicians can make the connection between the criminality of paramilitary activity and the social development and housing programmes and so on that are needed, that is all to the good. This is largely about confidence and competence. When policing and justice powers are placed alongside all the other powers for health, housing, education and so on, you get the proper mix.

I do not want to get into the blame game, because the parties have got to get on, talk and find a way through their difficulties. Yes, the Executive has to meet. And, yes, we need the devolution of policing and justice. Everyone wants the same thing in the end, so let us get on and talk about the detail. But what worries me—I have thought long and hard about this—is that, on the dissident threat, any opportunity

that people would have to point at Adams and McGuinness and say, “Look, we told you that the political route was the wrong route and does not work. Come with us and join violence” would be a very dangerous development. All of us need to guard against that; but of course, at the same time, Sinn Féin needs to engage across the whole of government and ensure that all the other pressing issues are dealt with. So all those things need to happen, and I am absolutely convinced about that, not least from my personal experience. Even as recently as yesterday, I, as a direct-rule Minister, met one of the devolved Ministers to discuss an issue of common concern. The day must surely come when everything is done by devolved Ministers, and I am sure that government would be the healthier for it.

10.00 am

Mr Willie Clarke MLA: Go raibh maith agat, Co-Chair. Thank you very much for your presentation, Minister. I agree that dissident Republicans are a small, poorly organised and misguided group. They are involved in illegal activities, mainly for their own gain — whether extortion, drug dealing or fuel smuggling — and they also give cover to any rogue element in the community for a percentage of their gains. You talked about the fact that politics must be seen to be working. That is the most important aspect of your presentation. The transfer of policing and justice is essential in the context of the motion that was taken to the special ard feis by the leadership of Sinn Féin. A large part of that involved the transfer of policing and justice. I should like you, Minister, to give an assessment of how Sinn Féin has embraced the policing institutions: the district policing partnerships, the Policing Board and the community safety partnerships. That was Sinn Féin’s side of the bargain; what they were to do.

Could you give a breakdown of which organisations are suspected of the 35 shootings?

Mr Paul Goggins MP: On the last question, I would need a bit more notice, but I will make sure that you get the information, Willie. As I said in response to Peter’s first question, we have come an enormously long way and paid particular reference to the ard feis and Sinn Féin’s decision to support policing. Peter made a very important point in the House of Commons last Wednesday during Northern Ireland questions: in many ways, policing is already devolved in Northern Ireland. Therefore, Sinn Féin’s involvement in the Policing Board and the district policing partnerships is an active way in which Sinn Féin is already participating in devolved policing in Northern Ireland, as indeed are all the other parties as well. Again, we see tremendous benefits from that. As an English Member of Parliament, I see the scrutiny that the police are put under in Northern Ireland, and, frankly, I wish that I had it in my constituency, because it exists to a tremendous degree in Northern Ireland. That is something to be valued by people there. The fact that all parties and all communities are now actively engaged in it is a very welcome step. Communities that traditionally did not look to the police to solve their crime and their problems are increasingly doing so.

Confidence will grow—the kind of confidence that, of course, Peter Robinson and the DUP want to be the basis for completing the devolution of policing and justice. Let us make no mistake about it here: that is a declared objective of the DUP. It is in its manifesto; it is what it wants; it is a policy objective. What must happen is the building of a sequence, through dialogue, that will enable that to be completed. We said at St Andrews that we thought that there could be sufficient confidence and that the work could be done by May this year to enable policing and justice to be devolved, but we did not say that it had to be devolved then; we said that we thought it could be devolved then. We were ready by May, and we stand ready now. But what matters is that we engage not in a kind of master class of who is biggest and best, but in dialogue and discussion, so that this happens in a proper and ordered way that maintains people's confidence. That is important; people must keep their confidence in policing and keep it moving forward. The evidence shows that confidence has grown enormously in the past year or so.

The Co-Chairman (Rt Hon Peter Hain MP): Paul, would you mind clarifying for everyone's benefit the point that you emphasised about the Policing Board and the DPPs. Is it true that, effectively, in operational terms, the Chief Constable reports to the Policing Board and is accountable to the politicians and independents who serve on it, all of whom are Northern Ireland citizens. To that extent, effectively, policing is more or less devolved. When we talk about this, the gap remains more on the criminal justice side.

Mr Paul Goggins MP: First, it is always as well to make the point that, operationally, the Chief Constable is completely independent of executive government. I can no more tell Hugh Orde what he has got to do, day by day, in his operational work than anyone else can. Certainly, no devolved Minister could order Hugh Orde to do this, that or the other thing. In relation to operational policing, he is independent; he makes his own assessments based on his own intelligence and the work of his officers. That is an important point to emphasise. I sometimes think that there is an illusion that politicians would somehow direct the police to do this, that or the other thing. That is not the case.

Secondly, on accountability, the Policing Board was reconstituted after the election. It is composed of independent members, but also political representatives, in line with the results of the election and the number of MLAs who sit in the Assembly, representing each party. Its composition is formed strictly on that basis. The board sets the policing plan and, indeed, has regular monthly meetings where questions are asked. The Chief Constable must turn up, and he is questioned and held to account for the impact of operational policing. I know from talking to him that those sessions are rigorous and that he is certainly asked very close and important questions. So the accountability already exists in terms of the wider impact. The operational independence exists, in the sense that no one tells Hugh Orde what he must do, day by day. But we still need to go a stage further, because, as you say, Peter, the policing side is inextricably linked to the criminal justice side. For example, if someone is framing the criminal law, they need to do so in a way that sits alongside the policing effort.

Over the past year, I took through Parliament a criminal justice order, which was a massive piece of legislation that transformed the sentencing framework in Northern Ireland. Frankly, it means that dangerous people will spend longer in prison than they

have done in the past and perhaps that we will see a greater use of community sentences for the less-serious offender. I have done that; but, frankly, it would be far better if it had been done by a devolved Minister, working in collaboration and consultation with the Assembly. That must be the future. Of course that does not mean that a devolved Minister and the Policing Board completely lose connection with policing in the Republic or elsewhere in the United Kingdom. Of course, collaboration and learning are important both ways, but I have no doubt whatsoever that a devolved Minister, perhaps setting the wider framework and of course, crucially, handing over the cash, will be an important element, because one of my biggest responsibilities is to ensure that we hand over the cash for policing. We have handed over £1.1 billion a year for the police to spend — a huge amount of money, which is necessary and very much needed in Northern Ireland. That is very much the Minister's responsibility. *[Interruption.]*

The Co-Chairman (Rt Hon Peter Hain MP): Sorry, colleagues. A mobile phone is switched on somewhere. It is either on “vibrate” or “silent”. Please switch it off.

Baroness O’Cathain: I should like to ask the Minister a question that refers to the question asked by Mr Mackinlay about justice for the victims of Libyan terrorism both in Ireland and the UK. You said that you were very disappointed about the fact that nothing has been pursued, or that the pursuance of this cause has been stopped. Is there any commitment to pursue it further after the US elections and when the global financial crisis has eased somewhat. You seem to be managing wonderfully on pursuing the right course with justice, policing and so on, but somehow those victims, who probably do not have a very strong voice, are not getting justice. Is there any commitment to pursue that still further after the current situation?

Mr Paul Goggins MP: As far as I understand it, the matter is now finished and closed. I expressed disappointment because, of course, we would have liked to have seen progress, but it was not possible in the end. We were not able to persuade the authorities in America that the victims here should have been included. That is disappointing, but we have had to accept that as the reality. As far as I understand it, the matter is now at an end, and there is no intention to pursue it further, certainly not in terms of government.

Baroness O’Cathain: May I pursue it for just a moment. Is there any way that those people can get justice in any other form of compensation or whatever?

Mr Paul Goggins MP: Obviously, these things will be matters for them to consider in how they take them forward. I emphasised in my answer to Andrew that, of course, the relationship with Libya is very important. It is a transformed relationship. As we face the threat of international terrorism, the Libyans are key allies and

partners.

Ensuring that that relationship remains strong and stable is clearly also a Government objective — I hope that it is shared all around the room — but, of course, this does feel uncomfortable. As I said in reply to Andrew, I have met some of the people who were directly affected by those incidents with the Semtex and so on that was supplied.

You cannot meet those people without being moved by their experience, but in the end you have to accept what you can and cannot do. We did our best, but in the end we were unable to persuade the Americans to include them in the action.

Lord Cope of Berkeley: The Minister gave a very clear and excellent description of the state of affairs, as he sees it, although I was a little concerned about the separation between the three threats. I wonder to what extent he thinks both the dissident Republicans on the one hand and the Loyalist paramilitary organisations on the other are involved in organised crime, because that certainly was the case when I did that job a good number of years ago.

My other question was partly answered in your response to Willie Clarke. I understand about PIRA having stood down and so on, but to what extent is intelligence flowing from former paramilitaries on both sides of the community into police operations. That seems to be crucial to dealing with all three threats that the Minister outlined. It is one thing to involve Sinn Féin, the DUP and so on in the supervision of the police and in looking after and monitoring police efforts, but it is another thing to assist the police on the streets with intelligence and all that sort of thing, which is, as we know, so essential to tackling these problems.

Mr Paul Goggins MP: I have two points to make in response. I separated the threats because I believe that, in the end, the dissident Republicans will be dealt with and that the Loyalist paramilitaries will decommission—if they do not, they will be dealt with as well—but I have no doubt that, even beyond that, the threat from organised crime will remain. At the moment, as I said, there is no question but that some people involved in organised crime in Northern Ireland are either still currently or were previously involved in paramilitary activity. But those who are euphemistically called “straightforward criminals” will exploit things and make life a misery for people, to line their own pockets. That enduring threat will need to be dealt with; whereas the other two can be extinguished, provided that the politics are right and that the appropriate action is taken.

Of course, you will know from your responsibilities—looking around the room, others will know it as well—that intelligence is extremely important. It is also something that you do not speak a great deal about in detail, but I can assure you that appropriate intelligence is gathered and made available to the police and the security services. Again, there is good co-operation north and south of the border in that respect as well. It is very important to be able to stop things before they happen, and intelligence is crucial in that respect.

10.15 am

Dr Alasdair McDonnell MLA, MP: I want to double back. You mentioned the budget for policing a couple of questions ago. My impression—forgive me, or correct me, if I am wrong—is that the policing budget is about to get a lot tighter and that, although we have 7,500 policemen and women currently, we may in the not too distant future shrink to 6,000, as a result of budgetary pressures. How does that sit with something that I find: a fairly constant demand where the police are thin on the ground. We may have all these other security risks and threats and whatever, but the police are very thin on the ground and they are not where they are needed when they are needed a lot of time, from the perspective of the man or woman on the street. Are we looking into a budgetary abyss. Will the police be restricted?

Mr Paul Goggins MP: Thank you for your questions, Alasdair. I am pretty robust on this, because we have been through the CSR07 process over the past year or so, and the settlement for the funding of police in Northern Ireland is a very positive one indeed. Let me share with you the fact that, as part of the comprehensive spending review process, the PSNI and the board initially bid to us for an amount of money for policing. I was confident when they made that bid towards the middle of last year that we could meet it in full. They then had some further considerations, and they increased their bid by £350 million—a considerable amount of money—and even so, we got within £88 million of giving them everything that they bid for. Well, I look around the room at people who have been and are responsible for public services. To get that close on a budget of £3.5 billion is a tremendous outcome in budgeting. I do not for a minute pretend otherwise than that money is needed. It is very important that the PSNI is able to remain at a strength of 7,500 regular officers, given the work that must be done and the threats that must still be dealt with, but I do not accept the argument that we are underfunding policing in Northern Ireland.

In the future, of course, decisions will need to be made. Is 7,500 the right police strength in Northern Ireland, as it becomes more normalised and a more secure and peaceful place. The board will have to grapple with that issue. A piece of work done by the police inspectorate suggested that, in normal times, a police strength of 6,000- odd would be a more accurate reflection of what is needed, but much more work needs to be done on that. Certainly, it is very clear that the budget this year is enough to sustain 7,500 police officers, and I believe that, if the Policing Board wants to keep that number next year and the year after, it will be able to do so, with the money that it has.

Having given what I hope is a robust defence of the position, I do not hide from the fact that, of course, tough decisions must still be made within those budgets. Clearly, if the Chief Constable has to spend more on overtime because of the dissidents, that money will not come out of thin air; it must be found from somewhere, so people will have to look again at the budgets. But, frankly, that is what normal politics is about, and there is a hard lesson: you cannot just say, “We’ve got a new pressure here — give us more money.” If there is a new pressure, you must work out and work through your budget and ensure that you can still meet those threats with the money that you have, and if you have had a generous settlement—I think that the

police got one—you should be able to do so.

Baroness Blood: Paul, you said in your presentation that the legislation might not be renewed and that the amnesty could be withdrawn. In the light of recent events where a lot of arms were found in my area, I want to ask you two questions. First, does anyone roughly know how many weapons remain to be decommissioned. Secondly, what more pressure can be put on the Loyalist paramilitaries to decommission, or will that be left to ad hoc meetings with the likes of the DUP and so on?

Mr Paul Goggins MP: There is no precise estimate of the number of guns that may or may not be there that I could share with you. There was a substantial find of guns, as you say, in your area only a few days ago. There is a lot of speculation in the media and elsewhere about precisely what that individual was up to. Clearly, if there was a find of 70 guns and 10,000 rounds of ammunition, there was something of significance. The police investigation continues, and we shall have to await the outcome.

We need to be absolutely tough and uncompromising in relation Loyalist paramilitary organisations. As I explained in my opening comments, I understand about the social exclusion that is felt by people from Protestant working-class areas. Again, as a MP for an area that is not the wealthiest in the country, I understand when people have that sense of alienation and isolation, and they look to their politicians to try to provide some of the answers. Perhaps in the past, they have not found that their aspirations have been reflected in the words and deeds of their politicians, but the challenge for politicians is now to start to deliver in greater measure on that. But there can be no negotiation and compromise: guns have no place in Northern Ireland today.

Anyone who has them should decommission them, and there is still a process whereby they can do so in a way that would be covered by an amnesty.

My point is that the amnesty will not last for ever. In fact, next February would be the last time under the present legislation that we could ask Parliament to extend that amnesty for a further year. I know, because I will have to do it, that when I go the House of Commons Committee that deals with that, I will need some pretty good arguments for why Parliament should grant that power for a further year, when Shaun and I keep telling Parliament that things are more normal and more peaceful than they have been for many years. So you cannot have it both ways—it is either normal, or it is not normal—and these special powers have increasingly less of a part to play in an increasingly normal society. If I go and put that case, I will need to have a very strong argument for doing so. The message to the Loyalist paramilitaries is very loud and clear: “Decommission now, and then we will be able to engage with you, of course, on those political issues that concern you, but it can’t be the other way around.”

Mr Fergus O’Dowd TD: Will the Minister comment as much as he can on the investigations into the murder of the late Paul Quinn, which took place about a year

ago, particularly the convictions of the family and their friends. Indeed, Seymour and I attended a meeting in Crossmaglen, along with Dominic Bradley from the SDLP, where hundreds of people expressed the conviction that the IRA murdered Paul Quinn. Clearly, it appears that that murder was not sanctioned by the IRA command structure inasmuch as it may exist, but nevertheless, locally, it is the absolute conviction of people that it certainly did. So, at the heart of all that we are talking about here, is there not a need politically for the IRA to be disbanded in the first instance, and particularly for IRA's activities in South Armagh to be finally and utterly ended?

Mr Paul Goggins MP: I am pleased that you pointed out that the IMC has concluded that the murder was not officially sanctioned. Indeed, if it had been, obviously there would have been major repercussions, but it was not, and that has been made absolutely clear by the IMC.

I am aware of the views and feelings of the family and those around them, of course, but what matters in the end is evidence. Those people who know who carried out that vicious murder should come forward and give that evidence and be prepared to stand behind it in a court of law. In the end, that final hurdle has to be crossed. As we know, not least from recent experience, unless we have evidence that stands up in court sufficient to convict someone, we have still not got far enough down the road. That challenge still remains.

An incredibly thorough investigation has involved the close collaboration and cooperation of the police north and south of the border, on a level that we have perhaps not seen in the past. There have been arrests, north and south, not least during the end of July. I am sure that that operation will have been helpful to the co-operation between law enforcement agencies and, indeed, in dealing with organised crime and other events that may or may not occur in the future. There has been a thorough investigation of the murder. No one has come forward with sufficient information to convict someone. I regret that, and that is still the further step that needs to be taken.

Mr Fergus O'Dowd TD: May I say briefly that I accept everything that you are saying, particularly on the co-operation between the gardaí and the PSNI, which is very important. But the key point is that, until the command and control structure of the IRA is disbanded, you can never say that the IRA is gone, whether or not something is sanctioned at a higher or lower level. So there is a political imperative for the IRA to be disbanded, and pressure should be put on Sinn Féin and everyone else for that to happen.

Mr Paul Goggins MP: Just to respond finally to that, we could get into a very narrow debate about an organisation that is no longer functional or operational in terms of conflict, or we could acknowledge the progress that has been made and the support that is now there for policing. The call from all of us—indeed, Martin McGuinness and many others have made it—is that those who have information should come forward. That final step needs to be taken, and as and when people have the

confidence in their politicians, the police and so on to do that, we will then have substantially left the past behind.

The Vice-Chairman (Mr Seymour Crawford TD): I should like to thank Paul sincerely for being very frank and open with us today, and I want to follow up my colleague Fergus O'Dowd's comments on the Paul Quinn murder. We are talking today about the need to build confidence. Quite frankly, when you meet that family, you realise what they have gone through. I have met them continually over the past 12 months. It is exactly 12 months now since Paul was murdered, and although they appreciate the tremendous co-operation that has gone on between the PSNI and the gardaí—I cannot over-emphasise that—the bottom line is that results count. Although people in the hierarchy of Sinn Féin have encouraged people to come forward, it has not delivered. I believe strongly, as one who lives along the border and appreciates more than most the steps forward that have been taken and how things have changed, that there is still the problem that issues are happening today that were not happening a year ago, because things are not moving forward.

I cannot plead strongly enough to both Sinn Féin and the DUP to find a resolution to the peace and justice situation, because in a vacuum—there is one at present—the dissidents get involved, especially younger people who do not remember what it was to come through the deaths, murders and everything else. A recent example is that the son of an extremely good family clearly said that the only way forward was with the dissidents, and that is extremely worrying. So are you satisfied that you are getting the co-operation that you would like to see in the Paul Quinn murder, the McCartney murder and the other issues. As I see it, PSNI personnel are possibly in a more difficult situation and more threatened than they have been for many years.

Mr Paul Goggins MP: The co-operation is there, as I have said on a number of occasions. Again, I repeat my earlier comments: we still need to go that further step. Those who have committed acts, such as the murder of Paul Quinn, did not come from another planet and disappear to another planet. They live somewhere, and someone knows who they are and what they did. They need to come forward. The individual citizen at that level needs to have the confidence, conviction and belief in a peaceful Northern Ireland that would lead them to make a break with the culture of the past, come forward and give evidence and a full account and be prepared to stand behind it in court.

I agree very strongly with what you said about the danger of young people having their heads turned. Some of the scenes in Craigavon a few weeks ago are deeply worrying. Young people who had no part in and no knowledge of the worst days—I referred to the scale of the killings and shootings in 1972—and no concept in their own lives of what that was like are being turned towards the antisocial and negative elements that are there. That has to stop, and the only way that it will do so is by the success of politics. If we have learned nothing else over the past 20 or 30 years, we have learned that the success of politics is the answer. I believe that, with the further and final breakthrough in devolution, the strongest message yet will be that politics, not some other more negative and destructive route, is the answer.

The Co-Chairman (Rt Hon Peter Hain MP): Paul, thank you very much. We have all been extremely impressed with this session and the way that you have presented it with your customary authority and openness, given the dialogue that has taken place.

All of us would like to show our appreciation for the efforts that you have made in coming here. *[Applause.]* Thanks again, Paul. I know that you have to head off to London.

THE CONSULTATIVE GROUP ON THE PAST

10.30 am

The Co-Chairman (Rt Hon Peter Hain MP): As you know, this part of the session will be held in private under the procedure that we agreed yesterday morning. I need to ask journalists to leave the room, although we have agreed that Ulster Television can film the start, when Robin Eames and Denis Bradley come on to the platform, which I now invite them to do.

The Steering Committee has directed that this part of the session be held in private under Rule 9c and Rule 30.

12.04 pm

Rosemary Butler AM: Thank you. I am pleased to be able to thank Niall and Seymour and our Unionist colleagues. It is also my pleasure to thank Robin Eames and Denis Bradley for their contributions, and to thank Paul Goggins and Eamon Ryan for being here with us.

I am sure that we are all looking forward to the next BIPA meeting, to be held next year in Donegal. With those few words, I move that we adjourn, and wish you all a very merry Christmas.

The Co-Chairman (Rt Hon Peter Hain MP): Thank you, Rosemary. It is my pleasure to invite you all to the BIPA meeting in Donegal, and to thank the hotel staff for their work on this meeting. I am sure that you will all agree that the arrangements have been excellent.

I now announce that the 37th plenary sitting is closed.

The sitting closed at 12.05 pm.