



**BRITISH-IRISH
PARLIAMENTARY ASSEMBLY**

**TIONÓL PARLAIMINTEACH
NA BREATAINE AGUS NA hÉIREANN**

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British-Irish Parliamentary Assembly

Monday, 19 October 2009

The Assembly met at 9.34 a.m.

PLENARY BUSINESS

INTRODUCTION

The Co-Chairman (Rt Hon Paul Murphy MP): Order. We ought to commence proceedings, colleagues, as we have a very busy couple of days ahead. I say briefly how glad I am to be back with you in what is, as I said last night, something of a yo-yo situation: it is good to be with so many friends. I welcome you to this great city, which is the second city of Wales, although the people who live in Swansea probably think that it is the first city of Wales. Whatever, it is certainly a great city. This is the first time the British-Irish Parliamentary Assembly has met here. I hope that the hospitality and friendship that you receive over the next couple of days will be very much typical of the city.

Members will notice that the agenda reflects what the business of the Assembly has traditionally been over the years: the situation in Northern Ireland. We are very fortunate that during the next couple of days we have Mark Durkan and Gerry Adams to tell us about the Nationalists' approach to current events in Northern Ireland and beyond. We will also, of course, deal with human rights and the Consultative Group on the Past. Our traditional interest in Northern Ireland has therefore not waned—nor should it, bearing in mind that there are still intense negotiations in Northern Ireland even today, as I am sure you will hear from Mark and Gerry. I am sure that all Members, including Unionist Members of the Assembly, will be interested in taking part in that debate.

Of course, the Assembly itself has gone beyond that over recent years, which was the intention of the Good Friday Agreement, so today and tomorrow we will have very interesting debates and discussions that reflect the current situation in the world. This afternoon, we will deal with the recession. This morning, Peter Hain MP, who is responsible for the British-Irish Council, will talk to us about that body. We have a very interesting couple of days ahead of us.

We have first to go through some formalities. I remind everyone—including me—to turn off pagers, beepers and mobile phones while in the room. We are in Wales, and the National Assembly for Wales conducts its proceedings bilingually, so you have in front of you—in the event that anybody wishes to speak in Welsh—the facility for simultaneous translation, for those who do not understand.

I also remind Members that the proceedings of the Assembly do not attract parliamentary privilege, so take great care in what you say.

So far as new Members are concerned, Senator Diarmuid Wilson has replaced Pat Gallagher, who was recently elected a Member of the European Parliament; Senator Brendan Ryan has replaced Senator Alan Kelly as an Associate Member, following his election to the European Parliament. For the United Kingdom, Lord Bew has been appointed an Associate Member for this session.

I have to inform the Assembly that, in accordance with rule 2(a), the following Associate Members have accepted the Steering Committee's invitation to assume the powers and responsibilities of Members for the whole of the session, which sounds very posh: from Ireland, Senator Terry Leyden, Senator Cecilia Keaveney, Senator Geraldine Feeney and Frank Feighan TD; from the United Kingdom, Lord Bew, Mr Jim Dobbin MP, Mr Mark Durkan MP and the Baroness Harris of Richmond; from Northern Ireland, Mr Alex Atwood MLA; and from the National Assembly for Wales, Ms Bethan Jenkins AM.

I also inform Members that a photograph will be taken at 2.15 outside the conference centre, which is to the left of the hotel entrance. White steps lead on to the promenade, which is where I hope we will be five minutes before, at 10 past 2.

Before I proceed to the adoption of the proposed Programme of Business, I am sure that all of you will join me in congratulating Seamus Kirk on his election as Speaker of the Dáil Éireann. He has been a very active Member of this Assembly and has served as Vice-Chair and Chairman of Committee C. We wish him all the very best in his prestigious and important appointment. We will, of course, write to him on Members' behalf expressing our congratulations.

ADOPTION OF PROPOSED PROGRAMME OF BUSINESS

The Co-Chairman (Rt Hon Paul Murphy MP): Members have received a copy of the proposed Programme of Business. Is the proposed Programme of Business agreed?

Programme of Business agreed.

BRITISH-IRISH COUNCIL

The Co-Chairman (Rt Hon Paul Murphy MP): We have a great number of very good speakers this time. In terms of speaking from the floor during the debates, I ask you, as usual, to indicate to me that you wish to do so. Perhaps you can even give your name to the clerks, because we need to get through as many speakers as possible. We have a full agenda, so we have put in a time limit of 10 minutes for opening and closing speeches, and four minutes for speeches in between.

We move on to agenda item 2, which is the British-Irish Council. I am pleased to welcome Peter Hain. He has not had far to come, of course, having travelled to the Assembly from his constituency in Neath to tell us about developments with regard to the British-Irish Council. I remember that, when I was doing Peter's job

earlier this year in Donegal, we talked about welcome developments in the relationship between the British-Irish Parliamentary Assembly and the British-Irish Council, so I know that Peter is going to bring us up to date on that.

Incidentally, Members will have received from the Scottish Parliament an interesting paper on its thoughts on where we might go in the future. I am sure that some of the contents of that paper will be reflected in what Peter has to say to us today. Peter—welcome to Swansea.

Secretary of State for Wales (Rt Hon Peter Hain MP): Thank you. I am especially pleased to join you here in Swansea. We are not far from my constituency of Neath, which is of course the centre of global civilisation and rugby's Mecca. I warn my Irish colleagues that although Ireland luckily won the grand slam last year, Wales intends to take it back off them next year. I thought that I would start on a consensual note.

Paul Murphy and I have been close friends for years. I place it on the record that he has done an outstanding job as a key negotiator in the Good Friday Agreement and in Northern Ireland and Wales generally, although Monica McWilliams was complaining about the Good Friday Agreement negotiations over dinner last night, and said that Paul always seemed to have loads of food while the rest of the delegates were always starving. I think that he has always looked after his gourmet interests.

Paul and I have developed a habit of following each other in and out of jobs, sometimes more than once. It has given a whole new meaning to the political equivalent of musical chairs. Members will recall that, at the previous British-Irish Parliamentary Assembly conference in Donegal earlier this year, Paul addressed the Assembly as Co-Chairman of the BIC and acknowledged the potential for co-operation and the synergy that could exist between the BIC and the BIPA. He recognised that the work of each body was often similar to that of the other as they deal with key shared issues. He also acknowledged that the BIPA—which was formerly the British-Irish Inter-Parliamentary Body—has undergone significant changes during the past 19 years, and that the BIC, which now seeks to establish a permanent home for a new full-time secretariat, is also changing.

How did Paul propose that the relationship could develop? His first suggestion is one that Niall Blaney has been especially interested in progressing; it is good to see Niall here again as Co-Chairman. Paul's first suggestion was that a member of the BIC could address each BIPA conference, as is occurring now. The speaker could be anyone who was chosen by the BIC and not necessarily a Co-Chairman. Secondly, the British-Irish Council might consider BIPA committee reports, which would create a closer connection between what the two bodies discuss. Thirdly, the co-chairs of BIPA could attend the British-Irish Council summit as observers.

That agenda was endorsed both by BIPA and by me as co-chair, and I continue to endorse it. At our previous meeting, I threw in a few more suggestions for good measure. I proposed that the BIPA could debate BIC communiqués, that the BIPA secretariat could have a relationship with the BIC's standing secretariat when it is fully established, and that BIPA and BIC officials could work up a draft protocol for consideration by both bodies. That might all sound rather esoteric or even bureaucratic, but it could mark the next stage in the evolving future of our islands and nations. Closer working relations between the BIC and the BIPA will avoid duplication of work and will, I hope, create a renewed focus for each of our bodies, and shared expertise.

The previous BIPA meeting tasked officials with drafting a protocol to set out those working relations. There has been contact between the two secretariats and correspondence has been exchanged, and I intend to discuss the basis of our relationship with ministerial colleagues at the BIC summit in Jersey in a few weeks. I will be the co-chair of that event.

The BIC and the BIPA have been important to the transition from suspicion and conflict to co-operation and peace. The BIC was born of the Good Friday Agreement in 1998, which itself represented a turning point in the history of the British Isles and is the east-west counterpart to the North/South Ministerial Council. However, it represents more than that. The BIC also brings together the Governments of every other part of these islands. As the Good Friday Agreement says, it was set up to

‘promote the harmonious and mutually beneficial development of the totality of relationships among the peoples of these islands.’

The BIC has renewed its agenda in the past year, agreeing by consensus to look at four new areas of common concern and increasing importance: digital inclusion, housing, collaborative spatial planning and energy, the work stream of which will comprise a marine energy element and a grid infrastructure element. Those working groups have met and are developing their future work plans.

The BIC is about to open a new and important chapter in its history: it is creating a full-time permanent secretariat at a headquarters whose venue is still to be decided. The creation of a secretariat will allow the body to progress at a different pace. It will give it the time, attention and independence that it needs, which is an altogether positive step.

The story of the BIPA, of course, began earlier. It was established to build trust and links between the British and Irish Parliaments 20 years ago, at a time when mutual suspicion ran deep, as is often recalled by those great pioneers from the first days of what was then called the British and Irish Groups of the Inter-Parliamentary Union, Jim O’Keeffe and Michael Mates. I am sure that Jim will not mind me paying tribute to Michael, who will be standing down at the general election next year. He cannot be here today because he is indisposed. I am not

usually known for congratulating Tories, but Michael has done an outstanding job in this body, and has in no small way contributed to the extraordinary transformation that is now almost taken for granted by us all. In a BIPA session last year, he was affectionately referred to by a Sinn Fein colleague as ‘Mikey’ Mates. Does not that tell us volumes about the tremendous progress that we have all made together over these past two decades? Just a few years ago, it would have been unthinkable that a republican would have been friendly to someone who was—how shall I describe Michael? Perhaps I could describe him as a member of the British officer class. We—the BIPA and the BIC—have indeed come a very long way together. We must never underestimate the distance that we have travelled and the role that the organisations have played.

I also want to pay tribute to our friends from the Unionist parties, who are now full Members of a body that they once shunned. I think that we were all moved when Jim Wells from the Democratic Unionist Party came to his first-ever conference of this body last year and expressed wonder and pleasure at being welcomed as a long-lost friend, and even being treated as a normal human being.

Regaining and securing representation for Unionist parliamentarians in the BIPA has been another essential part of the peace process. Restoring that representation was a matter of restoring trust—trust on each side, trust in each other and trust in this body. That has been fundamental to achieving this. You should never sell yourselves short in terms of what you have achieved—of what we have achieved together. Trust does not mean that there are no differences any more; it means that those deep differences can be resolved democratically and by open discussion, as they were when, as Secretary of State for Northern Ireland—building on Paul Murphy’s excellent work when he was in the job—I was able to help Ian Paisley and Martin McGuinness to launch their power-sharing Government on 8 May 2007 at Stormont. That was one of those ‘it could never have happened’ events that we have seen so many of on the island of Ireland in these past couple of years.

We must not let the dissidents—small in number and isolated, although dangerous—deflect us or allow us to forget what momentous change there has been. We must not let the swirling pressures around Unionism divert us from the path that we have all chosen together. The DUP and Sinn Fein, British and Irish parliamentarians, Dublin and London, Governments and the people—we are in this together for good, on the long and always bumpy road to peace and justice, and we will not be knocked off that road by reincarnated prejudices or the bombs of times gone by. Spasms of past hatreds will not deflect us.

The BIC and the BIPA are natural partners. We share representatives from the same jurisdictions. Our relationship is alluded to in the Good Friday Agreement. Good working relations between us will strengthen the peace process, and our existence and collaboration will strengthen the strong relationships that now exist between the peoples of these islands.

In its 11-year history, the BIC has covered weighty and diverse topics. Each summit, where the council meets as a whole, takes a particular work stream as its theme. The focus in Jersey will be on indigenous, minority and lesser-used languages. The Jersey summit will also rightly contain a discussion on the big issues that all Administrations face at present: the global recession and the flu pandemic. Those are important topics for the BIC to discuss and are the kind of problems to which these islands can seek common solutions.

Devolution is proving to be a success not just in Cardiff and Edinburgh, but in Belfast, too. The Northern Ireland settlement is embedding, even if there is vital unfinished business in the devolution of policing and justice, which must occur.

British-Irish relations are better than they have ever been in the torn history of our islands. Although we must never be complacent, I believe that we in the BIC and the BIPA should lift our eyes from the domestic and constitutional issues that have so far, understandably, preoccupied us.

Compared with India and China—the fast-emerging giants of this century, not just economically, but diplomatically—we are small islands bobbing on a vast global economic ocean.

We have so much more in common than our historical differences and divisions would suggest. Our children will not thank us if we look backward, rather than forward. They will want us to focus on the huge questions of the future: climate change, renewable energy, nuclear disarmament, human rights, making poverty history, pandemics, security and terrorist threats. Let us now use the Assembly and the Council to tackle those issues together, because we cannot solve them apart. If we can rise to that challenge, I see a great future for the BIC and the BIPA. I see an even greater future for the BIC and the BIPA working together.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you very much indeed, Peter, for a very interesting and inspiring address to us, particularly on the importance of continuing progress in Northern Ireland and on the relationship between our body and the British-Irish Council. I remind everyone that Peter Hain is here speaking in his capacity as the representative of the British-Irish Council—something that we agreed to start when we all met in Donegal. I will take some questions from the floor. I first call Robert Walter.

Mr Robert Walter MP: Thank you very much, Co-Chairman. As somebody who was born in and spent the early years of his life in Swansea, it is a delight to be here. I am also delighted that the Ospreys won yesterday.

Peter Hain's address was very informative. I thought last night that I would ask him an intelligent question about the BIC, so I went on to its website. I was greeted on its front page by the statement that it was updated in September 2008. That is not quite true, because there is a delightful photograph of a Cardiff summit, which includes you, co-chairman, and a small report on the summit. My small point

is that the BIC appears to conduct its affairs in secret. We really need to know what is going on. The public need to know what is going on if the BIC is to have any effect.

For example, the Secretary of State mentioned the upcoming Jersey meeting, but there is no reference to the meeting on the BIC website. It would be useful if people could see what is on the agenda, so that they could then make representations to the Ministers—not just from the British and Irish Parliaments but from the devolved Assemblies—who will attend that meeting. Therefore, my plea is about what proposals are being made to ensure better communication so that, next time, I can ask an intelligent question about the work of the BIC.

Rt Hon Peter Hain MP: I had not realised that Robert Walter is a Swansea boy. People from Swansea are called Swansea Jacks, so I will in the future call him Jack. The Ospreys won 25-24. I was at the match. At one point, we were leading 22-3. That was quite a comeback, but we resisted them.

I will blame Paul Murphy for the website, given that it appears not to have been updated since last year. I will certainly investigate that. I agree that it is important that the BIC communicates what it is doing. The relationship is still to be resolved in detail, but we know what the principles are—Paul Murphy spoke about them very eloquently earlier this year in Donegal, and I have really just repeated what he said. However, we need to make things more open, so I take the point about communications.

I tried to Google the BIPA website. *[Laughter.]* This might sound like a retaliatory point, but I suppose that I was previously responsible for the BIPA, so I cannot blame others—

The Co-Chairman (Rt Hon Paul Murphy MP): It is your fault, then. *[Laughter.]*

Mr Peter Hain MP: Yes—it is my fault. I could not find the BIPA website very easily, which is interesting. We might need to tackle this problem of communication together.

Dr Dai Lloyd AM: While I give people time to fiddle with their headsets and work out how to turn them on, let me welcome everyone to my home city of Swansea. ‘Sveinsey’ was the Norse name of this ancient Viking settlement, whence we get the name Swansea—like Anglesey and Bardsey—which has, unfortunately for all our football-supporting fans, nothing to do with swans.

Abertawe yw'r enw Cymraeg. Ategaf y croeso yn yr iaith hynaf yn Ewrop sydd dal i gael ei siarad gan un mewn pump o'r boblogaeth. Diolch, Peter, am eich cyfraniad. A gytunech fod angen ffurfioli rôl y cynulliad hwn mewn perthynas â'r BIC? A oes angen trefn	The name in Welsh is 'Abertawe'. I echo the welcome in the oldest European language still spoken by one in five of the population. Thank you, Peter, for your contribution. Would you agree that the role of this assembly in relation to the BIC needs to be formalised? Do we
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swyddogol o gael sylwebyddion o'r cynulliad hwn i fynychu cyfarfodidd o'r BIC? Yr ydym wedi trafod ers blynyddoedd—make Andrew MacKinlay wedi gwneud y pwynt lawer tro—fod y corff hwn, fel corff o aelodau meinciau cefn, yn addas i graffu ar benderfyniadau Gwediniogion, sef prif gorff y BIC. Yr wyf am glywed eich barn am geisio ffurfioli'r trefniant.

need an official method of securing observer status for members of this assembly at BIC meetings? We have been talking about this for years—Andrew MacKinlay has made the point many times—that this body, as a body representing backbenchers, could appropriately scrutinise ministerial decisions made by the main BIC body. I would like to hear your views on formalising the arrangements.

Mr Jim Wells MLA: Answer in Welsh.

Mr Peter Hain MP: Diolch yn fawr. Thank you very much. I will leave it at that, so as not to embarrass the rest of you.

Dai Lloyd raised important points about how exactly the relationship is to be progressed and—to use his word—formalised. As Paul Murphy will know from his greater experience of the BIC, the matter that has been raised is unfinished business. As I have discovered, the default position among First Ministers and others is that the BIC provides a valuable arena in which to share discussions and views in private. I do not think that that need conflict with the principle of observer status—I think that we can reconcile those. However, it is an issue that we still need to resolve, and I hope that we can do so at Jersey. Paul Murphy has prepared the ground for that.

It is a great shame that Andrew MacKinlay, too, has decided to stand down at the next general election. He has been a fantastic and vigorous member of this body—as he has been in Parliament, giving hell to every Government minister who gets in his way. I have had that pleasurable experience from time to time. He has pressed the case almost more strongly than anybody else. We are quite near to achieving it but there is still some process to go through, on which I hope that we can make progress in Jersey.

Lord Dubs: I am delighted with what Peter Hain has said about closer co-operation between this Assembly and the BIC. That is positive and builds on what Paul Murphy said to us some time ago.

A year or two ago, I had the chance to attend the Nordic Council. I went to meet its Environment Committee, but it happened that the whole Council was meeting. Do you think that, at some point in the future, it might be possible for the BIC to meet at the same time as the BIPA—just as the Nordic Council meets at the same time as its committees—so that there can be more contact between the two bodies? That would require the BIC to schedule its meetings in such a way that we could slot in with them. That may be some way ahead, but I nevertheless leave that with you as a thought about how things might develop in the future.

My other question is a specific one. I have raised this point so many times, along with my good friend Brian Hayes, that you are probably all fed up with being reminded of it. Many years ago, we embarked on the process of trying to harmonise the penalty points systems in Northern Ireland and Ireland. It has proved to be a long-standing task; it has gone on virtually forever, like the legal case of *Jarndyce v Jarndyce* in 'Bleak House'. I have received a report from an official at the Department of Environment in Belfast, which suggests that the BIC is making some progress on the issue. Nonetheless, I ask Peter Hain to have a look at the progress that has been made on the penalty points system. It is taking an awfully long time, and lives are at stake. The matter is bogged down. If I could write novels, I could write a very funny one about all of this, but it would be a true, factual account. I ask Peter Hain to have a look at that issue, because it is taking an awfully long time.

Donald Armstrong, the official in charge, is doing his level best, but sometimes the matter is stuck in the BIC and sometimes there is a European Union problem. We have made progress on the mutual recognition of driving licences—that was the first stage and it took a long time. If Peter Hain could have a look at that, we would all be grateful.

Rt Hon Peter Hain MP: Alf Dubs has been banging on about this for years and is frustrated with the progress that has been made. It is so obviously a commonsense measure that it is amazing that it has not been implemented yet. I will certainly look into the matter and find out where we are on it. I do not think that anybody is arguing about the principle any more; it is just a question of implementing the measure. We need that to happen, therefore I will chase that up in Jersey, if not before.

On the Nordic Council and the conclusions that can be drawn about our occasionally meeting at the same time as the BIC, Paul Murphy would probably agree that it is quite difficult to pin down dates for the British-Irish Council because it involves Governments, Ministers, First Ministers and so on with their own imperatives and pressures. It may be just as hard to negotiate a date and get that in the diary far enough ahead for the timetables of both bodies to be reconciled as it is to get Alf Dubs's penalty points system implemented. In principle, however, it is an interesting idea. We should try to do it at least once and see how it works.

Mr Jim Wells MLA: I thank Peter Hain for the kind words. It is exactly a year ago today that David McClarty and I arrived in fear and trepidation. We got back alive and reported that this body was not the fearsome animal that we had all perceived it to be. We have settled in very well and we are here to stay.

One of the reasons why my party felt that it was appropriate to join this organisation was the tacit agreement that east-west relationships would have exactly the same status as north-south relationships. We look with envy at the vast amounts of money that are poured into Armagh, where money seems to be no object, and there is a huge secretariat looking after north-southerly.

I am a bit disappointed that today we have no firm date for the full-time secretariat to be put in place and no indication of where the headquarters is going to be, although I hear rumours going around the conference that it is going to be a very pleasant location of which we would all approve. Can we be given an absolute assurance that by this time next year, when we go to Cavan, we will have cut the ribbon and appointed the staff, and that the BIC will have a full-blown secretariat that we can identify and a current website?

Rt Hon Peter Hain MP: Jim, you make a very fair point, and as would have been the case for Paul Murphy a few months ago, if it was left to one of the Co-Chairmen to determine it, we would want the issue to be settled and the secretariat to be up and running. The issue has dragged on for far too long.

The different Governments are concerned about bottoming out the costs of the secretariat. The principle has been agreed. I do not know what rumours you have heard about the location of the headquarters, but it has not been decided yet. I hope that we can decide that at Jersey. The Chief Minister of Jersey was tasked with finding a consensus, but I am not aware that he has found it yet. Let us hope that we can do so by the time of the Jersey summit. Once that is established, we can get on with the business of recruiting the staff.

The general principle has been that whichever location is designated, that Government will host the secretariat in a Government building free of charges for rent and basic costs, so it will not be in a nice shiny new building with a whole lot of extraneous costs that we can do without when public spending is under pressure.

I hope that those issues can be resolved within the next few weeks. I agree with you that the DUP has been especially committed to the secretariat, and you have been right to make sure that it is real, tangible and can start to operate much more effectively instead of being an almost ad hoc body that comes together as and when people feel they can spare a date in their crowded diaries.

Mr Andrew MacKinlay MP: Co-Chairman, I am grateful to Peter Hain for what he kindly said about my activities, contrary to his better judgment. I fully acknowledge that he as Co-Chairman and now as a Minister has pursued and is pursuing greater involvement of this body with the BIC. I want to coax and encourage him to do that. I wish that it had been pursued faster and earlier, but I am quite certain that he is doing it, and we must not let it go.

There are also some practical points to be made. As I understand it, Peter Hain will not be here tomorrow. Ministers need to be in attendance if our debate and deliberations are to have an impact on Governments and the BIC.

We have to debate some committee reports tomorrow. I am involved in Committee A under the chairmanship of Jim O'Keeffe, and we will be discussing the important issue of our common travel area. Given that a Minister will not be in attendance tomorrow, can Peter Hain amplify on what the BIC has done to

deliberate on the issues and problems relating to our common travel area? That information will inform our debate tomorrow. I would like to know the answer, because it affects every jurisdiction that is represented here. It affects those who have customs and immigration responsibilities and those who have responsibility for providing social security support, accommodation and so on.

Most of the legislatures represented here would be bewildered by the inability of the United Kingdom Government and the Government of the Irish Republic—primarily but not exclusively; the point also relates to the other jurisdictions—to work with some swiftness towards harmonising our policies for policing, controlling and monitoring our points of entry. That is one of the most important issues, from both a humanitarian and an expenditure point of view, in maintaining the integrity of our jurisdictions. Has the BIC discussed the matter—how, when and to what extent? What will it do about it? Will it take on board the documents that we will discuss tomorrow? That is enough to be getting on with.

Rt Hon Peter Hain MP: After Andrew MacKinlay's intervention, we will have to take it seriously, if we have not done so already. Between now and your discussions early tomorrow morning, I will try to get my officials to contact your secretariat and Co-Chairmen, to get an update on where the BIC is on the matter. You could give us feedback on where you would like us to be, which we could take forward.

I note what you said about Ministers attending throughout the proceedings. We will have to consider that interesting and novel suggestion. I will have the suggestion brought to colleagues' attention when reporting back formally on the session. I do not know how the Co-Chairmen feel about this, but it might be helpful if they wrote to me formally, as Co-Chairmen of the BIC, identifying questions such as attendance and observer status that they want to be addressed, so that we can have them before us in Jersey.

I hope that this is not taken wrongly—you can put your own interpretation on what I am about to say—but it would be a good idea if Members of this body, in their capacity as parliamentarians, on returning to their legislatures, asked their First Ministers and Ministers whether they are aware that there is strong feeling in the BIPA about these matters, especially observer status, and, if so, what they are doing about it. As Paul Murphy knows, there is not exactly a massive tide of enthusiasm sweeping through the BIC. He has pushed the agenda hard, and I have come in on his coat tails. It would be helpful if, individually, Members here had discussions before Jersey with their First Ministers, Deputy First Ministers and others who may be attending to say that this is an important matter for the BIPA.

Mr Alasdair Morgan MSP: Peter Hain makes a valid point when he suggests that we do something in that regard. I hear him talk about making progress at Jersey. Reading between the lines, that means that the matter will be talked about at Jersey and nothing will be decided. That is my worry. It would be helpful if Peter Hain at least conveyed the frustration of all Members who have spoken so far at the lack of

progress on all the issues that we have mentioned. We can do the same in our home legislatures.

I want to make two points. First, I understand that co-ordinating the planning of BIC meetings, to enable us to co-ordinate with the BIC, will be difficult, but the Nordic states are all independent states whose Ministers and Members have different priorities and pressures, and if they can do it, why cannot we? Secondly, the work of our committees could be informed by the work streams that the BIC is undertaking. If, long before there is any agreement, the BIC comes across areas in which its work might be informed by parliamentary scrutiny by our committees, is there any way in which it can feed that information to us, so that we can undertake work that might be helpful to the BIC in its deliberations?

Rt Hon Peter Hain MP: All those points are well made, and I will convey the frustration that has been expressed. I am glad that you see this as a two-way process and that you will do the same at your end. Incidentally, the dialogue has to include all concerned—Scotland, Wales, Northern Ireland and the representatives from the islands, including Steve Rodan, who is here this morning from the Isle of Man—and it would be very helpful if it took place within the next few weeks.

I note your comments about the relationship between Ministers and Members in the Nordic states. I will ask the officials in our secretariat, such as it is, to compile a note on the Nordic Council for the Jersey summit to ensure that colleagues who attend have some knowledge of what is being done elsewhere. As Alasdair Morgan has said, if the Nordic states have been able to accomplish this kind of thing, we should at least be able to consider it seriously.

I will also take up the point about the BIC's work streams. Instead of simply letting Members hear about things informally, I will get our different sets of officials to liaise on the subject and put together something in written form that gives Members a better understanding of what has been going on.

Mr Barry McElduff MLA: Go raibh maith agat, a LeasCheann Comhairle. I welcome the simultaneous translation system here in Swansea, because it encourages Welsh-speaking Members such as Dai Lloyd to speak in Welsh. Also, using the córas aistriúcháin does not take up any additional time and allows everyone to keep in touch.

It is my understanding that the St Andrews Agreement compels the Executive in the North of Ireland to take forward a strategy on and to legislate for the promotion and enhancement of the Irish language. Has the BIC discussed or does it plan to discuss the protection and promotion of regional minority languages, either in legislation or in strategy?

Rt Hon Peter Hain MP: As I have said, in a few weeks' time we will discuss the different experiences of the Irish, Welsh and Gaelic languages around these islands and consider other experiences from Catalonia to Quebec.

As far as the St Andrews Agreement is concerned, the fact is that not everyone signed up to it. It was an agreement over which different parties had disagreements. Nevertheless, it was agreed to which, in the classic Northern Ireland way, allowed us to make the progress that ultimately produced the settlements of 26 March and 8 May 2007.

You are quite right that the Irish language was an important part of the agreement, but I do not think that it is right to say that it compels the Executive or the Northern Ireland Assembly to do anything about it. The agreement could not do that, nor would such a move be appropriate. I remember talking at the time to Gerry Adams, who pressed the issue very hard in October 2006 and has done subsequently, who argued that Westminster should force Northern Ireland to do this. Although I thought that that was interesting coming from a Republican, I did not think that that would be possible, let alone desirable, under the constitutional architecture. At the same time, however, I understand your frustration at the lack of progress that has been made since then.

Lord Cope: Minister, has the British-Irish Council discussed one of the other matters that Committee A has been worrying about, which is cross-border police co-operation? As our report makes clear, we believe that the personal co-operation between the Garda and the Police Service of Northern Ireland is extremely good. However, there are all sorts of legal complications about transferring evidence, statements and so on from one jurisdiction to the other, which means that, even for an ordinary, small-time case, it can take six months for evidence and so on to be transferred across the border for investigative purposes or to enable a prosecution to take place. I know that consideration is being given to all that. Incidentally, I have asked questions in Parliament about it, and I have another one coming up next week. However, I would like to know whether the BIC has discussed the matter and is trying to unravel the legal knots that seem to tie down the police on both sides of the border at the moment.

Rt Hon Peter Hain MP: I am not sure in what detail the important issues that you raise have been discussed, but the security question and co-operation have been uppermost in the BIC's considerations for a number of years now. I well understand the points that you make, which are a tremendous source of frustration. For example, even when we sought and managed to get a both-ways exchange across the border of police officers from Northern Ireland and the Republic of Ireland, it was dogged by an outstanding issue that we could not resolve, which was individuals' different pension arrangements. We had to address that somehow, but it proved to be quite a difficult problem.

It is always important to bring these matters down to the level of practical, everyday experience, as Alf Dubs has done on the question of road safety, highways danger and penalty points. For instance, if there is no proper sharing across the border from north to south or the other way around of, say, information on paedophiles, there is a serious risk to children in the island of Ireland. Everybody

sees the common sense of sharing such information; it is just a question of taking it forward. I will certainly chase up the issue to which you referred, Lord Cope, and I will let you have a response on the matter through the Co-Chairmen.

Mr Brian Hayes TD: I want to ask what the Secretary of State's views are on a particular issue. He rightly asks us to put pressure on our Governments to raise the profile of the British-Irish Council. I raised with the Taoiseach some months ago in the Dáil a proposal for action following all European Council meetings, such that when a European Council meeting occurs, there should be a statement the following week from the Taoiseach and the Government in the Dáil Éireann, and the Opposition and other parties should have the chance to put their views about the European Council on the record. The same should apply to the BIC. When a summit occurs, Dáil time or parliamentary time should be used to give at least some parliamentary profile to the issues that are raised at the meeting. I am going to pursue that suggestion in our own Parliament.

I agree with Jim Wells's point about the full-time secretariat and the headquarters. That issue has gone on for too long. I suspect that the problem is that the country that gets the headquarters will effectively have to pay for it. That might be concentrating minds as to who is going to put their hand up for that particular job. However, we need to get a headquarters up and running so that the body has some kind of independent and clear secretariat.

On another issue, I think that much of the practical work in BIPA relates to our Committee work. Some excellent reports have been furnished to this body. I see the role of the BIC as bringing forward some of those ideas and some of that co-operation. Much of the work has already been completed, so it is just a matter of giving it a profile. I therefore encourage you, Minister, to look at our committee deliberations to see whether that kind of practical co-operation can be enhanced even further.

Rt Hon Peter Hain MP: Brian, again, makes some very fair points. I will certainly look into the matter. Underlying your question and those of others this morning is a sense that, as I hinted in my opening speech—from my experience of the BIPA over the past 15 or 18 months, I think that we all agree on this—this organisation is evolving at almost every meeting from dealing with past divisions to looking forward. A tremendous sense of frustration will build up, if it is not already simmering, if Members feel that this Assembly has no teeth and that reports, important though they are, do not go anywhere and there is no feedback. That is illustrated most graphically in Alf Dubs's case, but it applies to wider issues, too. That is why I think that there is much opportunity for all concerned. It is important to get the relationship right.

Incidentally, I do not think that paying for the secretariat is the problem. We just need to take a decision on where it is going to be sited, then the costs will flow from that and be apportioned. I do not think that there is an argument about them. I know that Dublin has lots of money at the moment. *[Laughter.]*

Mr Brian Hayes TD: There are plenty of empty buildings.

Mr Jim O’Keefe TD: I recall the historic first meeting of the Assembly’s predecessor body in 1990, when we got under way in committee room 14, so I am glad to have the opportunity to endorse Peter Hain’s remarks about our colleague Michael Mates. He and I are the only two surviving original Members of the body. Michael had a knee operation a week or two ago, which is probably the only thing that would prevent him from coming here. We all send our best regards to him for a rapid recovery.

In passing, I should say by way of historical comment that another person who will speak here today was also a Member of the first historic Assembly meeting in 1990. He is Maurice Manning, who is now president of the Irish Human Rights Commission. He was a Member of the Oireachtas when he attended the 1990 meeting.

I have two points to make. First, the British-Irish Council, which was established under strand 3 of the Good Friday Agreement, generally appears to be a very important body. However, I get the impression that it operates in a bit of a vacuum and that it has not made a huge impact to date. Maybe it is feeling its way forward, and perhaps a lack of decisions in relation to its territory and so on has contributed to that. It appears to me that, from the BIC’s point of view as opposed to ours, there is merit in having and cultivating a stronger relationship with this parliamentary body. There is an obligation on the Members of the BIC to be accountable in accordance with their own democratic procedures to their respective elected institutions. However, as my colleague Brian Hayes mentioned, I have not seen huge evidence of that in our Parliament. Indeed, I have not had reports of any such accountable processes being in place in other elected institutions in these islands. Perhaps that particular obligation of accountability could be implemented, albeit a little vicariously, by having more solid, regular reports to this body from the BIC. It would be in the BIC’s interest to do that and, indeed, to make its work more relevant to all our lives.

My second point is that issues come up through the work of this body and its committees that probably need to be looked at by the BIC from the point of view of getting action in our various Parliaments and institutions. For example, Alf Dubs and Brian Hayes referred to the penalty points system, and there seems to be clear common sense in having a common approach on that throughout these islands.

Another issue came up lately when Committee A, which I chair, considered issues relating to the common travel area. To my amazement, I discovered that our two islands take a different approach to visas. One would expect that there would be a common approach to people entering these islands, but that is not the case. We discovered that nationals from some countries are required to be in possession of a visa to enter the UK, but that a visa is not required for them to enter the Republic of Ireland. Similarly, nationals from a long list of countries are required to be in

possession of a visa to transit the UK, but they are not required to be in possession of a visa to transit Ireland. It seems to me that, in this day and age, we would benefit from having a common approach to such issues.

Although we have the opportunity to consider reports that are brought to this Assembly, it has been suggested that some kind of executive action from the BIC could lead to successful outcomes. This Assembly could feed into the BIC if we had some sense that the commonsense proposals that we adopt could be followed up by action from the BIC.

Rt Hon Peter Hain MP: As I did in my opening speech, I genuinely pay tribute to Jim O’Keeffe for the missionary work that he started nearly 20 years ago in committee room 14, which is also where we have rowdy meetings of the parliamentary Labour Party to tear the Prime Minister apart every few months. Despite some cynicism out there that has focused on the costs of parliamentarians from the different jurisdictions meeting together, I believe that this organisation has played an important part. Jim O’Keeffe, Michael Mates and others have always impressed on me that, when they attended the first meeting of the British-Irish Inter-Parliamentary Body—and for some years afterwards—there was tremendous antagonism and suspicion, not to mention hostility and distrust, between the parliamentarians from Dublin and those who came from London. People would not sit together at the same table over dinner. That seems just unthinkable now. That is a tribute to what has been achieved.

I cannot disagree with many of Jim O’Keeffe’s comments. The BIC needs to decide what its role is and it needs to reflect on how relevant it is and what impact it makes. It seems to me—I do not know whether Paul Murphy will agree—that the idea of executive action from the BIC is quite novel. Although the Good Friday Agreement was concluded more than 10 years ago, the British-Irish Council still seems to be feeling its way. I think that the relationship with the British-Irish Parliamentary Assembly will help it to do that.

The Co-Chairman (Rt Hon Paul Murphy MP): Before we continue, I remind the four Members who have asked to speak that Peter Hain needs to leave by 11 a.m..

Mr Seymour Crawford TD: Although Peter Hain is here due to his role in the BIC, I want to say in his hearing that it is not a bit strange that the Co-Chairman should ask for shorter speeches, given Peter Hain’s suggestion last night that I have spoken too often at these meetings in the past.

I want to follow up on Lord Cope’s comments on policing issues. Any group—be it the BIC or whatever—that can move issues forward so that we have a better structure in policing both North and South is to be welcomed. I understand that police in other parts of Europe can follow up their inquiries. I fully understand the difficulties that existed in the past, but we now have a new situation.

In South Armagh, the gardaí were able to interview people with the PSNI present. However, on the Fermanagh border, certain technicalities and other issues are making it more difficult to follow up ordinary crimes. Before anything can be done, such matters have to go through a whole hierarchy of organisations instead of simply going from the local Garda barracks to the local PSNI barracks. We need to look at that seriously in the light of the present situation.

The penalty-point issue, which has already been raised, is still a problem and shows that we need more action and fewer talking shops. That is important both at this level and at the BIC level, and I hope that by consulting one another and working together more we can move things forward.

Rt Hon Peter Hain MP: It is good to hear from Seymour Crawford again. I remember that he was once deeply offended at my not calling him. We made peace over a pint of Guinness, which is always a useful lubricant in such situations.

I seem to have agreed to a lot of things this morning. I hope that I have kept a note of all of them, although I guess that Members' officials and mine will have done the same. We need to compare notes to ensure that I am clear on what I have agreed to take forward to the BIC summit in Jersey, which will include the general points that Mr Crawford has made.

Mr Alex Atwood MLA: I agree completely that we need to improve North-South policing arrangements. I do not think that Peter Hain will want to comment on this but, speaking from a background in the Social Democratic and Labour Party, I have to say that I have found that resistance very often comes more from the Department of Justice, Equality and Law Reform and the Garda in the South than from the authorities in the North.

Peter Hain and Jim Wells rightly touched on how we can deepen and develop British-Irish, east-west arrangements. We certainly welcome and endorse such moves and look forward to progress in that respect. As Peter Robinson says, we need to catch up. However, although some arrangements might be catching up, movement on the North-South implementation and co-operation arrangements is slowing down. As Peter Hain will remember, at St Andrews some people agreed to a review of North-South arrangements. Although that review has been going on for two and a half years, it has not yet published its assessment to date of the situation and has yet to conclude its consideration of how the arrangements might develop in the future. Of course, I have a political interest in all of that, but there are compelling economic and other grounds for deepening North-Southerly, especially in a time of recession and reduced moneys. It is very unfortunate that at the same time as we are moving forward on a British-Irish, east-west axis we seem to be slowing down on the North-South front. That is hostile to the interests of people in the North and the South and might upset the delicate architecture of the Good Friday Agreement.

Rt Hon Peter Hain MP: Although I cannot claim to be up to speed with all those developments, I agree that any signs of sclerosis or stagnation in North-South

links and decision-making structures would be very worrying, because the issue was a pretty important part of the Good Friday Agreement, the St Andrews Agreement and, indeed, the final settlement.

I have always thought that there is a great big bureaucracy around North-South ministerial bodies, which is fine. However, what really matters are the practical outcomes for citizens of both Northern Ireland and the Republic of Ireland. For example—I remember making and starting to explore this argument when I was the Secretary of State for Northern Ireland—if someone falls ill and needs a doctor or treatment in an accident and emergency centre, they should be able to go to the nearest one, regardless of the border. To some extent, that happens by default, but it should be institutionalised. If the nearest school that suits your child happens to be across the border, in whatever direction, your child should be able to go to that school. The same goes for access to college, university and many other public services. If we get the discussion on to that level, co-operation will flow naturally, because it is common sense.

I first spoke about an island of Ireland economy in an interview in New York soon after I became Secretary of State—I had been in the job for about four or five months—because it seemed to me to be common sense. Initially, people did not understand what I was saying and the Democratic Unionist Party reacted against it. When people realised what I was saying and how enthusiastic the business community in Northern Ireland, including the predominantly Unionist business community, was about the principle, the opposition and suspicion dissolved. We are talking about the practicalities of a small island, albeit one with a border dividing it. It makes no sense for those two economies to operate as if they are in hermetically sealed capsules. Co-operation is extending almost month by month and has done so for a number of years. The more co-operation and common strategy there is, the better we will be at facing external competitor threats. I mentioned China and India in my speech.

The same goes for renewable energy. The island of Ireland is pretty short on indigenous energy, yet, as we know, it has an abundance of wind power, wave power and marine currents. I authorised the innovative project in Strangford Lough, which is important and could be replicated elsewhere.

All the issues that I have mentioned need to be taken forward. It is not right that there should be a slowing down of North-South ministerial interaction. The more that we can get the discussion on to a commonsense, practical agenda that makes a difference to citizens—one that they can see, rather in the way that penalty points could make a difference—the easier it will be to free up the process.

The Co-Chairman (Rt Hon Paul Murphy MP): We have four speakers left. I do not propose to call anyone else, because we do not have time. Because of time constraints, I ask the four speakers to ask their questions first. Peter Hain can then answer all four.

Mr Mark Durkan MP MLA: I endorse what Jim Wells and others have said about the importance of getting the secretariat established. As Deputy First Minister, I recall proposing that at a BIC meeting at Dublin castle in late 2001, only for it to be torpedoed by the Northern Ireland delegation. We then proposed it, with full agreement from everyone, at a plenary session in Jersey seven years ago. I hope that it can be fully signed off and agreed at the next plenary session in Jersey. Former Secretary of State for Northern Ireland Roy Mason once ran a disastrous and crass campaign under the heading 'Seven years is enough. Don't make it eight'; this time, the heading is appropriate. The proposal was agreed seven years ago; let us finally get it delivered.

The British-Irish Council and this body could look at issues relating to the digital revolution. The Department for Culture, Media and Sport is pushing ahead with the Digital Britain initiative in terms that are not working fully for many nations and interests. In the future, there will be issues relating to indigenous language broadcasting. Where will that fit in? All of us are struggling with the question of what is the sustainable model for public service broadcasting into the future. How can we guarantee, underpin and fund public service broadcasting and ensure that prime time in our national public service broadcasters remains fairly free of complete dominance by American imports and so on? To my mind, that is an issue that all Administrations in these islands should work on, given the serious issues that are involved. We cannot have decisions driven only by Sky TV diktat, as seems to be happening at the minute.

The transfer to digital television is an issue that needs to be considered. In Ireland, we are facing the possible difficulty of having two incompatible digital platforms on a small island, which would be ridiculous. That is not a North-South issue, but it is an issue in the British-Irish context. All of us need to get our heads round that issue, because we are sleeping in on it at the minute.

Mr Chris Ruane MP: My question builds on Mark Durkan's comments and on what Brian Hayes said.

Can we have a review of the subjects that the BIPA and the BIC have considered over the past five or six years? From listening to what Members have said, there are some consensual issues that unite us and that we need to make progress on. Those issues include: tracking paedophiles; traffic offences; immigration; people trafficking; drug trafficking; the interconnectivity of our electricity arrangements; the common travel area; and certain questions in the 2011 census. All those issues would unite all the bodies that are represented around the table today. The way in which the agendas of our four committees are set is a bit hit-and-miss, as agendas depend on the personal persuasion of committee members and on responding to outside organisations. We should review the previous subjects that the BIC and the BIPA have considered. We should also identify, as Brian Hayes suggested, any new consensual issues on the horizon that might break down the barriers between North and South, between east and west and between devolved institutions and the UK Parliament.

Peter Hain mentioned cynicism about our costs. I think that there would be less cynicism about the cost of holding events such as this if the physical outcomes were fewer paedophiles perpetrating crimes within our borders, fewer deaths on the roads, less people trafficking, cheaper electricity and so on. We need to turn our plenary meetings and committee meetings from talking shops whose recommendations are never acted on to events that will benefit the lives of the people whom we represent.

Baroness Harris: Will Peter Hain expand on his answer to Andrew MacKinlay about the view that the BIC has expressed on the common travel area, which is an issue that, if acted upon, will affect many people here? Tomorrow night, I will speak to an amendment to the Policing and Crime Bill that seeks to remove from that bill a provision on the CTA that would affect us all.

Hon Stephen Charles Rodan MHK: On the question of co-ordinating the activities of the BIC and the BIPA and the generally accepted need for this body more closely to monitor the BIC's activities, the BIC previously organised its work along particular strands of policy that were each headed up by a lead jurisdiction. Will Peter Hain indicate whether that is still the pattern of working, what the current strands of work are, and who leads on each of those strands? From his knowledge of both organisations, does he take the view that the BIPA's committee structure lends itself to monitoring the BIC's work, or does he think that we need to change our committee structure?

On a different matter, Peter Hain mentioned that the public should be able to access public services across the border—he was clearly talking about the border between Northern Ireland and the Republic of Ireland—so that people are given the facility to attend the nearest school, hospital or whatever. How does he reconcile that with the ending this year of the historic reciprocal national health service agreement with Jersey and Guernsey that was initiated by the UK, and the ending from 1 April next year of the agreement with the Isle of Man? Those are long-standing NHS agreements that have ended—a unilaterally imposed ending, I may say. How does he reconcile that policy stance with what he said about people accessing schools and hospitals across the Irish border?

The Co-Chairman (Rt Hon Paul Murphy MP): Just before Peter Hain winds up in answer to those questions, Niall Blaney would like to say a few words.

The Co-Chairman (Niall Blaney TD): I just want to say to Peter Hain how glad I am to see him here again today. I recall that, at the meeting in Donegal back in the spring, he announced details of this meeting, our next plenary, in Swansea. I know of all his attention to detail in arranging this weekend. Certainly, it has been very enjoyable so far.

Today, Peter Hain has given a very clear message to Members, particularly those of us who talk to our heads of state or First Ministers about developing our

relationship with the British-Irish Council. I am certainly heartened and encouraged, because he knows the workings of the BIC so well and is intent on further developing the relationship between the BIPA and the BIC. We are very lucky in the sense that, as he moved forward into his current role, he had that BIPA background. We are also very lucky in the way that he and Paul Murphy have been able to exchange roles and the fact that Paul brings such experience as my Co-Chairman. I take great encouragement from what Peter Hain has said this morning. Certainly, there is work to be done by Members, but we look forward to the results of his work.

Rt Hon Peter Hain MP: If I may, I will respond to Niall Blaney first. I thank him for what he said. It has been very good working with him. I hope to ensure that that kind of working relationship also takes place in the context of closer relationships between our two representative bodies. Of course, a general election will intervene next year, quite possibly before the next BIC meeting, so for all I know—and for all Paul knows as well—Paul Murphy may be back in the BIC role after that.

However, that means that there is even more of an imperative to get a clear exchange on the requests that I have responded to positively this morning, so that both our sets of officials can document them and so that we can go to the Jersey summit with where things will progress in future months and years on the record. Otherwise, we will just keep having the same conversation. I must say that I was struck by Mark Durkan's point that the secretariat issue had been agreed to in principle seven years ago. The time for such prevarication is over.

The point that Mark Durkan raised about digital broadcasting is really important. My colleagues who are here from the Westminster Parliament and the Assembly in Cardiff Bay will know that there is a really serious problem with the viability of channel 3 news in Wales, which is watched by 40 per cent of TV viewers in Wales. That could result in the BBC having a monopoly. I am not having a go at the BBC—I did so overnight over its attitude to the British National Party, but that is a separate matter. However, I do not think that it is healthy for a broadcaster, even one as august and reputable as the BBC, to have a monopoly. I therefore believe that Mark's point about public service broadcasting and its sustainability is both interesting and crucial.

Given the digital choice that exists now, if we do not have a sustainable form of public service broadcasting, we could very quickly go down the American road—if we are not well down that road already. In America, people do not have a high-quality news service or the accountability that the media bring to politics and democratically elected bodies. In our case in Wales, the Assembly has extensive powers. The decisions that the Welsh Government takes and on which the Assembly legislates affect the lives of everybody in Wales. If those bodies were not held to account through the media, there would be a real problem.

There is also the issue of the Government and Assembly being able to communicate what they do. In that regard, the closure of local newspapers is significant. My local weekly newspaper closed a couple of weeks ago, and such

closures are happening right across Great Britain. I am sure that it is also a problem in Ireland—it is a problem throughout our jurisdictions. Mark Durkan’s point is a good one in that context. He also raised an issue that I did not know about: the incompatibility of the different digital platforms in Ireland, which also needs to be addressed.

Chris Ruane made a point about going back over the past few years and looking at the issues that have been discussed and the work streams and recommendations that have come from the BIPA and the BIC, and seeing where they overlap—or do not overlap. Therefore, rather than just looking forward, we should perhaps also take stock and see where we are. Let us see whether we can get that bit of work done as well.

If Angela Harris does not mind, I will not rise to the bait and say whether I, as a Government minister, endorse her Liberal Democrat amendment. I will pass on that one, but I take her point, and I will see what read-across there is.

Stephen Rodan also made a point about work streams and how they are arrived at, and whether we need a review of the BIPA committee structure to make it more compatible with that of the BIC. That is a matter for the BIPA, but it is obviously an issue. If we want the relationship between the BIPA and the BIC to deepen, perhaps we should emulate the Westminster system in which select committees shadow Government departments—that is largely how the committees there are constituted. Some reconfiguration of committee structures may be needed, but I do not know.

I simply note what Stephen Rodan said about the ending of reciprocal arrangements for NHS provision between the Isle of Man and Great Britain. How that it is reconciled with what I have just said is an interesting question.

I conclude by thanking Paul Murphy again for inviting me here. I certainly enjoyed my period doing the job that he now does. I hope that we can take that work forward together. We have raised many issues this morning that, with a general statement of good will about close co-operation on a series of practical issues, go beyond where we were previously. If Paul Murphy and Niall Blaney take that back to their Administrations, as they indicated they would, and I take it back to the BIC in Jersey, we will see what progress we can make. I hope that by the next time a minister from the BIC addresses the BIPA, we will have in the bank some practical outcomes and achievements and will have made the real progress that will allow us to move forward together. Thank you very much indeed. *[Applause.]*

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you very much, Peter. Seventeen people contributed to that debate and very interesting ideas were raised. I am sure that we will be in touch with each other very soon, whether in relation to the Jersey summit or our next meeting at Cavan. Thanks again.

HUMAN RIGHTS

The Co-Chairman (Mr Niall Blaney TD): On behalf of the Assembly and of my colleague Paul and myself, I welcome Professor Monica McWilliams, Chief Commissioner of the Northern Ireland Human Rights Commission. I want to commend the commission, through Professor McWilliams, for the work that it carried out on the proposed bill of rights for Northern Ireland. The report is useful because it shows the areas in which further consideration may be given to advancing the rights currently available in Northern Ireland following the Human Rights Act 1998, in order to reinforce the agreements that have been made and to strengthen the peace process there.

I also welcome Dr Maurice Manning, president of the Irish Human Rights Commission. Dr Manning was mentioned in the previous debate as one of the first Members, among others here today, of this Body when it first met in 1990. I express my appreciation to Dr Manning for coming to outline advances made in the Republic on human rights and to give an overview of the work that is being carried out jointly by the Human Rights Commissions in the North and South in relation to recommending, at a future date, a charter of rights for the island of Ireland.

Professor McWilliams will give her presentation, followed by Dr Manning, after which there will be questions from the Floor.

[Applause.]

Professor Monica McWilliams (Northern Ireland Human Rights Commission): Thank you very much, Niall. It is good to be here among friends again. On behalf of the Northern Ireland Human Rights Commission, I thank you for the opportunity to address the British-Irish Parliamentary Assembly.

As many of you know, our commission and the Irish Human Rights Commission were part of the 1998 Belfast (Good Friday) Agreement. Our commission has a range of functions. We review the adequacy and effectiveness of law in practice relating to the protection of human rights; we advise on legislative and other measures that ought to be taken to increase those protections; and we advise on the compatibility of any proposed legislation. All of that helps to promote awareness and understanding of human rights in Northern Ireland.

We have also managed to have our powers reviewed since 1998. The Justice and Security (Northern Ireland) Act 2007 gave us increasing powers which allow us to access places of detention if we declare an investigation into places such as prisons, as we do and have done. Our next investigation will be on the human rights of the elderly, particularly those with dementia, which will be of interest to parliamentarians. In Northern Ireland, our powers mean that we can access those places, seek testimony and take witness statements and have documents provided to us if we so request. They are strong powers; we will use them and have done so very wisely.

The commission can also assist individuals to take cases to court. Under the Justice and Security (Northern Ireland) Act 2007, it is no longer a victim who must take a case to court. We can take a case in the commission's name, if we believe that there is a systemic violation of human rights.

We now work with the Scottish Human Rights Commission, which is chaired by Alan Miller, and the British Equality and Human Rights Commission, which is chaired by Trevor Phillips. We are unique in that the Irish Human Rights Commission and the Northern Ireland Human Rights Commission are mandated by the Belfast (Good Friday) Agreement and legislation to meet on a quarterly basis. We rotate those meetings between Belfast and Dublin. It takes a little longer now due to the collapse of the Malahide rail bridge, as we discovered on the train last week, but it gives us a bit more time — in economy class, I hasten to add — to do some work. In all of its work, the commission bases its position on the full range of internationally accepted standards, including the European Convention on Human Rights, the other treaty obligations under the Council of Europe, the United Nations treaties and the non-binding soft law.

I want to present one significant area of the commission's work with which, I believe, parliamentarians need to be made more familiar. It is the mandate that was handed to us to advise the Government on a proposed bill of rights for Northern Ireland. In accordance with the British-Irish Agreement of 1998, which was endorsed by the political parties at that time and further approved at St Andrews in 2006, we were mandated to consult. The mandate asked us to consult and advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland, drawing, as appropriate, on international instruments and experience. Those additional rights were to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem, and, taken together with the European Convention on Human Rights, would constitute a bill of rights for Northern Ireland.

Therefore, the particular issues that were to be considered for possible inclusion in the Bill, which were spelt out in the agreement, were the formulation of a general obligation on government and public bodies fully to respect on the basis of equality of treatment the identity and ethos of both communities in Northern Ireland; a clear formulation of the right not to be discriminated against; and the right to equality of opportunity in the public and private sectors. Therefore, we took, first, from the agreement and, then, from the European Convention on Human Rights. The Human Rights Act 1998 did not come into force until 2000. The Northern Ireland Human Rights Commission is proposing that there should be a Northern Ireland bill of rights Act.

Our deliberations had to take account of the complicating factors of the political process at the time, because the European Convention on Human Rights had not been incorporated. From the outset, the consultation process was exhaustive, taking more than 10 years. The Assembly's suspension delayed at one

stage the establishment of the bill of rights forum, which fell to the St Andrews Agreement. For 18 months, political parties and people from civic society sat on the forum, and, in March 2008, it handed us its advice. I have said that it takes longer for babies to be born; however, on 31 March 2008, I declared that the commission would complete and hand over its advice to the Secretary of State within nine months. We deemed that 10 December 2008, which was international human rights day that year, and, indeed, the sixtieth anniversary of the Universal Declaration of Human Rights, to be a significant moment to complete and hand over our recommendations to the Government and Secretary of State, which we did in the very room in which the agreement was signed.

The consultation process was, therefore, complicated and deliberative, and it took more than 10 years to complete. It included community and voluntary groups, politicians, academics, practitioners and Churches. It was not a rushed job; we always said that it would be better to get it right than to rush it. It was a deliberative and inclusive process, and we eventually published our advice last December.

Northern Ireland is a hard place in which to work, and the voluntary and community groups are often the first to take slices off you. I expected a huge outcry, because, although we took on board much on which we had consulted, we could not give them everything that they demanded or wanted. Obviously, we addressed particular circumstances, and I am glad to say that they did not take slices off us.

More recently, the Churches have come out in support. In particular, the Catholic Church declared its support. When the forum made its declaration, there was an issue about reproductive rights. We said in our advice that no bill of rights, in any country, has given rights to unborn children or a right to terminate pregnancy. There is no international standard on the subject, and, as you can imagine, the commission was heavily lobbied by both sides. We concluded that the UN, having examined the UK Government on those rights, had simply asked it to consult further. We agreed with that conclusion, arguing that it falls on Parliament and not on the Human Rights Commission to address such issues.

You can imagine the difficulties that the commission faced in its attempts to take on board the varied and diverse views that exist in Northern Ireland, not just on the issues of the two communities, but on those of the new communities. People said that, as well as addressing past conflicts, any bill of rights in a modern democracy should be a forward-looking document.

The Eames/Bradley group, which addressed this Assembly, was sitting at the same time as the commission, as was Lord Paddy Ashdown's strategic review of parading. In many ways, we were all addressing Northern Ireland's particular circumstances. We worked closely with them both. I was aware of the recommendations that were made by the Parades Commission's consultative group; I was also aware of what the Eames/Bradley group's conclusions would be, even though they had not yet been published. We addressed those issues, not as particular human rights, but according to our overall advice.

The document was a lengthy one of almost 200 pages, but Members will be glad to hear that we have summarised it to 30 pages. I remember when the political parties came into the bill of rights forum — Jim will remember it because he was there as chairperson of the Assembly implementation committee — I said that our focus would be on reducing the document to one page. The Assembly will be glad to hear that it is now on one page, to make it accessible and to let people feel that they have some ownership of it. We have succeeded in getting all of that advice down from 200 pages and onto one poster; do not ask me how big the poster is, because it is a large page.

This time last year, we designed a methodology that allowed us to ask a range of questions, and we shared it with the political parties. It was no mean feat to be asked to examine the particular circumstances, address international experience, consider supplementary rights and then draw up the advice. The issue was whether it should be justifiable; we said yes, for it to make sense it should be so. The establishment of a bill of rights begs the question of what a charter of rights for the island of Ireland would look like. That is something that Maurice Manning and I will have to address across the two jurisdictions through our commissions. For the moment, however, we have focused simply on the bill of rights.

I do not have time to explore all the rights that we recommended; they are contained in the document that has been provided. I will make sure to send a copy to anyone who does not have one. We believe that the rights that we have recommended fully match the mandate that was handed to us. We took the view, first, to do no harm; that is a very important issue for parliamentarians at the moment, given the debate between Gordon Brown and David Cameron on whether there should be a UK bill of rights. David Cameron has said that, should his party be returned, the Human Rights Act 1998 will be repealed. The Labour Government have deliberated on the matter and argued that there should be a UK bill of rights and responsibilities. No such debate was taking place when we drafted our advice and when the agreement was made. We have said that we will be happy to engage in that debate, but there are now discussions in Northern Ireland about whether a UK bill would suffice.

That has not been the debate to date. All parties in Northern Ireland were agreed that there would be a bill of rights for Northern Ireland. When I talked to Conservative, Liberal Democrat and Labour people in London, all of them said that they never saw a contradiction in having a separate bill of rights for the devolved regions that could sit alongside a UK bill. That constitutional question must be resolved, but it has held up our discussions, which have proved to be a problem in that by now we had hoped that the Northern Ireland Office would have responded to the advice that we handed to it in December 2008.

We have argued that a Northern Ireland bill of rights should be the Human Rights Act 1998-plus. Therefore, we took the basic Human Rights Act 1998 as our starting point, because not all the rights of the European Convention on Human

Rights were incorporated into the 1998 Act when it was brought into force in the UK in 2000, and that is what we worked from. We argued that we should do no harm to the 1998 Act, and any rights that are brought in will allow the Act to stand and a new Act, called the Northern Ireland bill of rights Act, can be brought in. Canada has set the precedent for that. It introduced a bill of rights in 1960, after which it brought in its own charter in 1982, and those two pieces of legislation sat alongside each other.

Recently, in Northern Ireland, we had a round-table discussion for civic society and political parties and a separate one for policymakers. I took the round-table groups through the advice, and we examined the following themes: physical integrity; personal and group identity; the relationship between the state and the individual; and participation in society. We did not have time to go into all of those rights, but we felt that no human being lives his life by having a political, civil, social, economic or cultural right. The debate in Northern Ireland has become very simplistic, between political and civil rights on one side and social and economic rights on the other and whether they should all be brought together as indivisible and universal. We have moved away from that and suggested instead that we should look at the way people live their lives. Often, they live with those rights as interdependent rather than singled out or categorised in that way. Therefore, we thought instead of those themes of physical integrity, personal and group identity, and the relationship between the state and the individual. We make the point that, when an individual is in a place of detention, extra responsibilities are placed on the state because of the vulnerabilities that exist. Then there is the issue of participation in society, which involves democratic rights.

A further criticism of the system is that it gives too much power to judges and takes power away from parliamentarians. That myth existed at the time of the Human Rights Act 1998. It is a myth, a folk legend. It did not turn out to be reality when the Human Rights Act came into force in the UK.

In our advice, we say that each theme performs a part of a bill of rights. There is, of course, the legislative framework, and we point out how we expect it to be enforced and implemented. However, we also point out the role of Parliament and the Assembly, and we point out the duties and the duty-bearers. We argue that the legislature, the executive and wider society all have a role in the implementation and enforcement of a bill of rights.

We then argue that very few rights are absolute, apart from the right not to be subjected to torture and inhumane and degrading treatment, and that rights always involve a balancing of rights and interests. In Northern Ireland, we know that in respect of the parades issue. We also know what it is to put limitation clauses on rights. In case anyone thought that the commission did not address that issue, we have our limitation clause. We argue that the debate on rights should always be based on reasonableness and proportionality.

We take the reader and the person in Northern Ireland through that discussion. Joe and Josephine in Northern Ireland will not be particularly interested

in how we enforce and implement rights. They are more interested in how we make those rights real for them and in how they affect their lives. For parliamentarians, however, these are important issues. For example, under what conditions would you want your rights derogated? In Northern Ireland, when a public emergency threatens the life of the nation, we say that the state of emergency must be confirmed by Parliament and that there should be no derogation from rights that cannot be derogated under international law. Our advice covers all that, which is important in respect of past experience in Northern Ireland, when individuals were concerned about how easy it was to remove rights or to declare a state of emergency.

Unfortunately, there is much debate on this issue in Parliament at present. As a human rights commissioner, I was concerned at the way in which the media reported the enforcement of rights under the Counter-Terrorism Act 2008 and argued that it was disgraceful that people could not be returned to countries because Britain did not want to continue to hold them. The issue was whether those countries would have tortured the deportees. Those are important human rights issues. Human rights are universal, and we should uphold them, whether in our own or someone else's country.

A lot of myths were reported in the newspapers about people being fed Kentucky Fried Chicken on the roof of prisons. That never happened. Similarly, there were stories about Nielsen, a serial paedophile, demanding porn in prison. Again, that did not happen, but the newspapers constantly ran the story to the point where the Human Rights Act was almost being seen as a villains' charter. It is disappointing occasionally to hear Ministers, who should be defending the Act, referring to it as such, because it has proven to be enormously important since its introduction.

The Equality and Human Rights Commission in Britain recently held a very useful inquiry, led by Dame Nuala O'Loan. It travelled across the whole of GB, asking people how the Act worked for them, how it worked for mental health professionals and whether it was useful to them. The inquiry then published its report, in which it was able not only to put down the myths but to put up the facts.

I was heartened recently to see the pamphlet 'Churchill's Legacy: The Conservative case for the Human Rights Act'. Churchill was associated with the European Convention on Human Rights after the Second World War. Instead of just one party being seen as defending the Human Rights Act, it was good to see a number of Conservatives coming together to produce that pamphlet. At a time when we in Northern Ireland have produced advice on supplementary rights and will pay attention to the particular circumstances, I am concerned that the debate on whether we should even hold on to the Human Rights Act has almost bypassed us.

We argue that there is a role for those who have standing. One issue with our bill of rights is that, under judicial review, one does not have to be a victim for a case to be taken. We included that proposal in order to make it easier for the Act and any future Bill to be passed.

As Members will be aware from their constituencies, there was a big loophole in the Human Rights Act. The duty to adhere fell only to public authorities or public bodies — it did not fall to private bodies, so private homes were exempt from the Act. For example, even though all of their money came from the public body, the famous homes run by Leonard Cheshire Disability were exempt from the Act, because they were seen as private homes. That has now been remedied, because all the homes in Northern Ireland that provide care for the elderly or children are private. The day of homes being operated as a public service has gone. It is good, therefore, that the commission has the right to do that future work on the rights of older people. Up until six months ago, we would not have been able to do that. In our advice on the Bill, we say that a proper definition of a public authority is one that is in receipt of public funding, otherwise it will be left out of the protections of the Act.

Westminster is responsible for legislating, but the Sewel convention applies if devolved legislatures are involved. We understand the importance of having our local Assembly in Northern Ireland involved in this discussion. We would very much like to see our local Assembly establish an equality and human rights Committee. Members who, like me, were part of the Assembly's first mandate will remember that there was supposed to be a Committee on equality, but it was never established. If we produce this advice and there is a bill of rights, it is time for Northern Ireland to follow the lead of Wales and Scotland. It is time for the Assembly to establish a Committee similar to the highly respected Joint Committee on Human Rights, of which Lord Dubs is a member and which sets the standard, particularly if policing and justice powers are devolved. That would be one way of familiarising people with the contents of a bill of rights for Northern Ireland.

We handed our advice over on 10 December 2008. It covers a long period, beginning with the Northern Ireland Constitution Act 1973, which was 36 years ago, if my maths are right. It then proceeded through the framework documents, the Good Friday Agreement and the joint declaration by the two Governments in 2003. So, on it goes: commitment after commitment after commitment, yet the issue is still outstanding.

The most recent discussion centred on whether there should be just a UK bill with a subsection on Northern Ireland or whether the Good Friday Agreement's commitment to having a separate bill of rights should stand. No legislative slot has been allocated for the issue. The current Parliament is coming to an end, and it is highly unlikely that a slot will be allocated now. We await the consultation, which will begin at the end of this month. I hope that it will come out, but it will be 12 weeks. The people will have their response, and the politicians will have their response, but where does that leave us? The question is whether there be a commitment from Westminster or from the British and Irish Governments to implement the commission's mandate, to produce this advice and to have a bill of rights for Northern Ireland enshrined in legislation.

I will now hand over to Maurice, who will talk about how that follows on with respect to the joint work between the two commissions, in particular some of the work and proposals on which we have so long delayed, namely, what a charter would look like for the island of Ireland — we could not possibly have developed that discussion until we had completed our work on a bill of rights — and the other work that we do across the two jurisdictions of Northern Ireland and the Republic of Ireland.

The Co-Chairman (Mr Niall Blaney TD): Thank you very much, Monica. I ask Maurice to take the podium.

Dr Maurice Manning (President, Irish Human Rights Commission): Thank you, Niall. It is great pleasure for me to be back here today, having spent much of the 1990s as a member of the then British-Irish Inter-Parliamentary Body, and to have survived Mike Burns as one of the chief suppliers of fun during that time. It is great, too, to see so many old friends still here.

As Monica pointed out, the Belfast/Good Friday Agreement specifically laid down a requirement for the establishment of a joint committee of the two human rights bodies that were set up under the agreement in order to further the implementation of the rights that were laid down in the agreement. It is one of the cross-border bodies that has worked harmoniously and productively since its establishment in 2001. Like many things in politics, that is in part due to the very good personal relationships that exist between the members of the two bodies and between myself as president of the Irish Human Rights Commission and Monica as chairperson of the Northern Ireland Human Rights Commission.

I will refer later to some of the joint work that we have been doing. However, I am conscious of time, and, in case I do not get to that, much of the work has been done in migrants' rights and some of the cross-border issues that arise from the problems of migrant workers. Work has also been done on the Charter of Fundamental Rights, disability and the sharing of information on the issue of older people in long-stay care, a subject in which the two commissions took an interest since their foundation and before it became as rightly controversial and essential as it is today.

When one speaks about national human rights institutions, many people's eyes glaze over, or they have a less-than-accurate concept of what is involved. Such institutions are a very new phenomenon. Twenty years ago, there were about six or seven national human rights institutions worldwide; today, there are 65 accredited by the UN with 'A' status, which means that they confirm to the Paris Principles definition of the essential sine qua non components of a human rights commission. Those institutions work very closely together. There is an international co-ordinating committee, and the world is divided into four regional groups. For the past three years, the Irish Human Rights Commission has had the honour of chairing the European group of national human rights institutions.

The concept of national human rights institutions was much encouraged by the UN, because it saw them as a further way of ensuring that countries implemented and lived up to the international commitments that they give. That is one of the key functions of those institutions, apart from ensuring that constitutional rights are adhered to in the drafting, implementation and practice of legislation. The focus becomes very much on how to ensure that international commitments, which are often so easily given, become a reality.

In many ways, the Irish Human Rights Commission is seen internationally as a model of what an international commission should be. I can claim no credit for that: it is the legislation that defines, describes and underpins the Irish commission. It is seen by the UN as a model that it will hold out to many countries that are about to establish a commission. I can take no credit for that; it was Bertie Ahern's Government of 2000 and 2001 who drew up the legislation. That legislation not only represents a component of the commitment to the Good Friday/Belfast Agreement and an important body to promote human rights in Ireland, it also shows Ireland's strong commitment internationally to the promotion and protection of human rights.

One recent development to which Monica referred is based very much on the model of this Assembly. We have come together to form what we call the four jurisdictions — Great Britain, Scotland, the Northern Ireland Human Rights Commission and the Irish Human Rights Commission — to work in a structured way for the promotion and protection of human rights but also to realise that the four jurisdictions have a great deal in common. The issues that each of us face are common to us all, so we should try to put in place a structure in which we can share each other's research. All the commissions, with the exception, perhaps, of Great Britain, are under-resourced, so it makes sense, as far as possible, to share our research with each other.

As Monica said, like everyone else these days, we fly with Ryanair, but we meet regularly to discuss the issues. That is particularly true with matters such as disability, in which we have the first international convention of the twenty-first century: the Convention on the Rights of Persons with Disabilities. However, it will take an extraordinary amount of work to operationalise that and put it into legal concepts that make a difference and are recognised. The problems are common, so it makes sense to share on such issues, and it has worked very well.

The Good Friday Agreement or Belfast Agreement envisaged that human rights commissions would be adequately funded and resourced to carry out their work. That is laid down by the UN as a cardinal principle, or a principle of recognition, for a human rights commission. Clearly, we live in a time when cuts are universal and deep, so I ask for recognition that the cut of 32 per cent for the Irish Human Rights Commission—during the first round of cuts, when others took 5 or 6 per cent—was excessive. I hope that that will not be followed by anything similar, because, if it is, the commission will simply not be able to exist.

There is one point that I have been making since I became president of the Irish Human Rights Commission and it is that the commission should be directly linked and accountable to Parliament. Not only would such a link be in keeping with international best practice, but it would recognise that human rights impact on all areas of policy and not merely those in the justice sector. The UN has also recommended that, in the case of Ireland, the Irish Human Rights Commission should be directly linked with Parliament.

I say this for a number of reasons. First, there is something incongruous about having a justice Department as the Department to which a human rights commission is answerable. In all countries, most breaches of human rights happen within the security forces, the prisons and the areas that are directly accountable to a justice Department. There is a contradiction in having a Department that is responsible for both areas. As regards the overarching nature of human rights, accountability to Parliament would make more sense. However, the issue goes much deeper than that. I believe that it would strengthen Parliament during a time when all Parliaments need to be strengthened. They have all been found wanting in the lead-up to the economic crisis. It would ensure that the scrutiny of the Irish Human Rights Commission would be open.

I know that there are people in this room who do not have time for human rights commissions, but hostility, or at least honest questioning, would be in the open rather than behind closed doors in a government Department. At least the debate is in the open and the reasons why a human rights commission should have its funds cut or need extra funds can be seen by everyone. I encourage support for the direct accountability of the human rights commission to Parliament, including the appointment of the president of the commission and the commissioners. All those things should be a matter not just for government but should be open to scrutiny.

The Oireachtas can also play an important part in supporting the day-to-day work of the commission by taking its publications seriously. It is our role to scrutinise every piece of new legislation to see that it conforms with Ireland's constitutional obligations and with the wide range of international conventions and agreements—European, EHRC, etc—to which Ireland is a party. The Irish Human Rights Commission provides Members of Parliament with an independent expert critique of proposed legislation judged against Ireland's international obligations. Members of Parliament do not have to accept that critique, and the final say is with them. However, at least there is that independent source of information available to them on the main issues of the day.

I am conscious of the time. I urge the Irish Parliament seriously to consider establishing a joint Committee, so long as there are two parts to make it joint, on human rights. As far as possible, it should be based on the UK Joint Committee on Human Rights. Such a Committee would greatly strengthen parliamentary oversight of the human rights implications of proposed legislation. The UK model undertakes inquiries on human rights issues, scrutinises all government Bills and selects for

further examination those with significant human rights implications. It also looks at government actions and deals with judgements. There is range of things that such a Committee could do that would greatly strengthen the quality of scrutiny of legislation in our Parliament. Before someone says that there is such a Committee in the Oireachtas already, I say yes, there is; it is a subcommittee of the Joint Committee on Foreign Affairs. In other words, human rights are OK for foreigners, but do not bother us with them back home. I ask Members seriously to consider that matter.

Monica mentioned the charter of rights and the joint committee. The agreement mentions the possibility—no more than that—of establishing a charter that is open to signature by all democratic political parties that reflects and endorses agreed measures for the protection of the fundamental rights of everyone on the island of Ireland. The joint committee has been wrestling with that notion since its inception and reached a sensible view fairly early on that there was little point talking about a charter for all of Ireland while the bill of rights debate was ongoing. That debate is coming to a conclusion, and Monica deserves great credit for the part that she and her commission have played in that. However, the issue of the charter raises huge questions: is it feasible at all; what is its relationship to the constitution and to the European Convention on Human Rights; is there any possibility of getting all the democratic parties on the island to agree on a charter of rights? We will examine it, do the research and talk to the various people involved. However, it would not be wise to embark on a major undertaking without some guarantee that some measure of success will result at the end.

On 6 November, the law school at University College Dublin will run a conference to explore the different options, modalities and possibilities of the charter, which is recommended, but not mandated, in the Good Friday/Belfast Agreement. The agreement contains a commitment by the Irish Government to take measures further to strengthen the protection of human rights in its jurisdiction. The agreement requires that the measures ensure at least an equivalent level of protection of human rights in Ireland as those that will pertain in Northern Ireland. The Irish commission regards that as a continuing commitment of the Irish Government, and there are still areas where broader human rights protections exist in Northern Ireland than in the Republic, including the recognition of same-sex partnerships and of the new identity of transgender persons. The Irish commission welcomes the publication of the Government's proposal on same-sex partnerships and other relationships and hopes for a similar movement on transgender rights so that human differences and diversity will be accepted in the same spirit in every part of the island.

The two commissions continue to work together on human rights issues that affect people throughout the island. They reflect, jointly and separately, an important aspect of the Belfast/Good Friday Agreement and play an ongoing, harmonious and positive role in the protection and promotion of human rights. Implementation of the Good Friday Agreement can be ensured only if both commissions are properly resourced and supported and if their recommendations

and work are given adequate weight, including by the British and Irish Parliaments. I encourage Members of the British-Irish Parliamentary Assembly to ensure that, in their individual Parliaments, there is a continued commitment to the work of the two commissions and to the ongoing promotion and protection of human rights in the two islands.

[Applause.]

The Co-Chairman (Mr Niall Blaney TD): Thank you very much, Maurice. I will take questions three at a time, and then a response.

Ms Cecilia Keaveney TD: Go raibh maith agat. I thank both speakers for their contributions. I spent the past couple of days living, learning and acting for human rights in Budapest with a gang of 180 youth workers who were studying human rights education as a part of the sixtieth anniversary of the Council of Europe. There were 11 workshops happening at any one time. I was on the workshop on inter-religious and inter-cultural dialogue, so we had our own issues.

Monica spoke a couple of times about ‘both communities’ and ‘the two communities’, and then I was glad when you said ‘and the others’. One of our greatest challenges is that we believe, consciously or subconsciously, that the new people coming into the island of Ireland will probably stay for a while and then go home. I do not think that we have embraced the idea that there are more than two communities now. Our big challenge is whether we, as ‘People A’, see them as ‘People B’ whom we will make into ‘People A’, or do we see the new people who are coming in as ‘People A and B’ becoming a new ‘People C’, where everyone embraces a little bit of change and a new dispensation. Those are the sort of issues that arose as we spoke with so many people from such diverse backgrounds. It is a very big issue and not easy to put a handle on it.

What role does formal and non-formal education in human rights play in your commission work? The message that came across clearly to me was that slogan coined by the Finnish: ‘Nothing about us without us’. That is, whether one is disabled, elderly, youth or minority, one should have a voice at the table. In an annex to your report, many different groups of people are listed. To what extent do they have a voice in decision-making and decision-taking?

A question you might not want to touch but which I will throw in anyway is ‘What role are politicians and the media playing at the moment to help or hinder human rights implementations, as there is a rush to populism and populist propaganda, particularly in the light of the economic downturn?’.

The third question I throw in because I always worry about reinventing the wheel. There is a Universal Declaration of Human Rights and a UN Convention on the Rights of the Child. The Council of Europe has been approached by youth groups asking for a charter on youth rights. If there is a UN convention on human rights and a UN Convention on the Rights of the Child, why do we need a charter for youth

rights? Are we killing ourselves by reinventing the wheel all the time? Should we not look at what is there and try to see why it is not working? I apologise for asking so many questions, but I have been strongly motivated about this issue all week.

Mr Andrew Mackinlay MP: I thank both speakers, but will they address a glaring anomaly and breach of human rights which affects us in Northern Ireland, the Republic of Ireland and in the United Kingdom? It relates to the small but not insignificant minority of people, born in the Irish Republic after 1949, who are prevented from claiming British citizenship. The issue goes to the heart of all our agreements—the Belfast Agreement and so on—where there should be parity of esteem and it is implicit that people should be able to identify their own identity. The Irish Republic’s citizenship laws are very generous: an Irish grandfather will basically guarantee Irish citizenship. In any event, if one is born in Northern Ireland one can be—many are—deemed to be a citizen of the Irish Republic. However, it does not work the other way, and it is a growing problem. With migration, many people living in the United Kingdom may be part of the migration there in the 1950s and 1960s. They may have been born in the Irish Republic, left as infants and want to be deemed to be British citizens but cannot be. There is a minority, albeit a small one, which lives in the Irish Republic and would like to exercise that right.

The matter has been swept under the carpet. When I have raised the issue—apparently it was touched on in some of the many negotiations that took place some years ago—it was a no-go area. However, a significant number of people who are resident in the Republic of Ireland would like this. More important, those who were brought up and are living in other parts of the United Kingdom and, for that matter, around the world cannot deem themselves to be United Kingdom citizens. It is a human rights issue, and it demonstrates disparity in the rules. I wish that I had raised the issue before as it seems to be core business for this Assembly and is an uncomfortable area. It is a challenge to both commissions represented here today and to the Equality and Human Rights Commission, particularly as our colleagues have told us this morning that they are looking forward to the harmonisation of rights in Ireland and in the wider area.

The Co-Chairman (Mr Niall Blaney TD): Following Terry Leyden, I have six speakers. In the interests of time, I will call it a day at that point.

Senator Terry Leyden: I thank the secretariat for the excellent arrangements in Swansea so far. It is an excellent programme. I also thank Professor Monica McWilliams for her tremendous work on the Good Friday Agreement. She was instrumental in its success and played a very important role. Indeed, I also congratulate Dr Maurice Manning on his role as chancellor of the National University of Ireland. He is the former leader of the Irish Senate; and I will not be making a case here for the retention of the Seanad and human rights commission places, although I could be tempted.

I was impressed by your idea of a direct link to Parliament, and the Seanad would be a great place for the Irish Human Rights Commission to report to on a

regular basis. As regards your relationship with the European Court of Human Rights in Strasbourg, are you involved in referring cases there? Do you assist people to bring cases to the European Court of Human Rights? It is very complicated for ordinary citizens who want to defend their rights to go to that level. The European Court of Human Rights has proved to be very successful.

I do not know whether it may be your responsibility, but the former Tánaiste, the late John Wilson, the uncle of our new full Member, Senator Diarmuid Wilson, was very involved in the finding of the remains of those who died during the Troubles. He did tremendous work. I feel that it is true human rights to give a proper Christian burial to those who were caught up in those 30 years of difficulties. The formula used by John Wilson is now being used by others, and I have spoken to the authorities in the north and south of Cyprus about their situation as regards rehabilitation and the finding of remains. It may not be your responsibility, Commissioner Manning and Commissioner McWilliams, but you might consider reactivating this and applying pressure again, because time has elapsed, and many troubled families have lost their loved ones and would love to have their remains back.

Professor McWilliams: I will take the questions in order. With regard to Cecilia's points, it was a struggle to get the two communities, the new communities and the indigenous community, because the Traveller community is not a new community, yet the Travellers would argue that their human rights had not been attended to although they are a particular circumstance of Northern Ireland. We were very heartened by the response from the black and ethnic minority community to our advice.

The party that is probably hardest on us is the Alliance Party—I do not know whether Sean Neeson is here—because it argued that there was an overemphasis on the two communities. However, the mandate that was given to us was to look at parity of esteem, mutual respect, and to focus on rights with regard to the two communities. We could not make up another mandate. So, we adhered to the mandate but not by ignoring the rights of other communities.

The big issue in human rights is whether groups have rights or only individuals. In a conflict society in Northern Ireland, there were issues around group rights, and not just individual rights. Therefore, it was more complex than just the issue of the individuals in the two communities. Again, we took the principle 'do no harm', and there is existing legislation which speaks to protection in relation to both communities. In our non-discrimination and equality provisions, we looked at existing legislation and argued that that should be enshrined in a bill of rights.

A bill of rights is all about trust: do we trust our Government always to serve our rights? In Northern Ireland, that has always been a particular difficulty, irrespective of who makes up the coalition in the Assembly at any time. The whole point about a bill of rights is that people should never go back to the situation from which they came because there is now protection, under that bill of rights, that

enshrines their rights. Therefore, if there was ever justification for people to turn on the state in the way that they did, it should never exist again, because there should be a national human rights institution and a bill of rights in place. That is why we addressed the funding principle of equality and then built the other human rights on it.

We in Northern Ireland have long experience of addressing that issue. Although I am not sure whether all the parties represented here would agree, there was huge debate among the people in Northern Ireland when those protections were first introduced, and now they are taken as being normal.

As regards the role of education, we introduced BORIS — not the Mayor of London, I hasten to add — the bill of rights in schools. Now every child talks about his or her BORIS and knows about BORIS. That was before Boris Johnson became Mayor of London. We produced the tools for the teachers so that they could teach about a bill of rights and what might be in it.

When I travel to other countries that are coming out of conflict, I find that teachers are frightened about explaining the conflict in case they get into trouble, particularly if they address the matter through history. Now, teachers in Northern Ireland have told us that they are much more comfortable about addressing many of the causes of conflict in relation to human rights, not only in other countries, but in our country. They found that through the citizenship education. Amnesty International has just produced a wonderful tool: a new book that gives teachers lots of materials and teaching aids for teaching about human rights, particularly the issues promoted in the bill of rights. I am very pleased about that.

UNICEF has a wonderful award scheme called Rights Respecting Schools, which it created because there was so much bullying and suicide. It began to tackle the issue by getting the kids to take responsibility for forming school councils themselves, rather than leaving it to the teachers and opposing whatever decisions the teachers took. They start participating in those decisions at an early age. The scheme has a wonderful title — Rights Respecting Schools — and it will hand out awards to schools in the Foyle constituency in Northern Ireland next week. If we get it right in schools, we will get it right later. It will be the next generations who will really understand the violations of human rights, and will, maybe, respect others' rights more than my generation did.

Last night at dinner, at my table, people were talking about parliamentary expenses and whether the media would ever go away.

Mr Jim Wells MLA: Every table was discussing that.

Professor McWilliams: Were they? Then we were not unique. The issue was how long one should go on feeding the beast in order to get the facts right and getting the myths put to one side. There is not one day in the Human Rights Commission that my time is not taken up in trying to engage with some journalist

who has a story somewhere that bears no relationship to reality but who is going to run with it anyway. I spend all my time trying to get a few facts in, so that there might be a few sentences about what really happened and hence the response.

We have done a Q&A; that is the way that we do it with journalists. We produce booklets on issues that they somehow find complicated. We say, 'Here is the question, and this is the answer'. We give it to them in advance of them making it up, and sometimes that works.

As for new rights, it was interesting that the Universal Declaration of Human Rights, which came after a terrible, bloody war — the Second World War — and all the things that people did to one another, did not think of the rights of disabled people. It thought about the people who were injured in the war. Therefore, people of our generation are the ones who thought through the rights of disabled people. I want to pay tribute to Gerard Quinn, who sits on the Irish Human Rights Commission. Is it not wonderful to be able to say that a person who drafted that convention sits among us? He was the leading expert in drafting that new UN convention.

I am not familiar enough with whether the demands of the people in Budapest were sufficient to draft a new declaration on youth, but it seems that the current UN convention does not speak only to only the small child but to the big child because it extends to the age of 18. Mind you, the Soviets used to consider people youths until they reached 35, so they must have been looking at awful big youth.

We should never consider rights as stagnant; they are dynamic. For example, years ago, people would not have considered the right to enter into a same-sex relationship or even the rights of women who were subjected to domestic violence. Those are new issues.

Members will be glad to hear that the right to be British, Irish or both is included in our advice. It states that the people of Northern Ireland have the right to:

'identify themselves and be accepted as Irish or British or both, as they may so choose, with no detriment or difference of treatment of any kind. This right would not be affected by any future change in the status of Northern Ireland.'

We were asked to address that issue. Given Ian Paisley's vow of 'Never, never, never', Jim will hardly be terribly happy to know that if, some day, the constitution perhaps changes, people who deem themselves British would remain British if they so chose with no detriment or difference in treatment of any kind.

Mr Andrew MacKinlay MP: What about people who are born in the Irish Republic?

Professor McWilliams: I will allow Maurice to answer that, because I am clear about my jurisdiction. I am very aware of that issue; it is not new for us.

The commission has experience of taking cases to the European Court of Human Rights in Strasbourg. That is very expensive. Our litigation budget is £50,000, which is tiny. It has gone right down because of the cuts, and, therefore, we now act as third parties. We have the right to go into court in our own name, and we have the right to assist a victim. Both processes are expensive. With the judge's discretion—no judge has turned us away—we have the right to act as a third party to give expert witness testimony in court. We increasingly do that in the very few cases that end up in Strasbourg. Cases ought not to end up in Strasbourg, because they go through the High Court, the Court of Appeal and the House of Lords and, eventually, to Strasbourg. It costs a lot of money to take a case all the way. At the moment, we are considering whether or not to intervene in a specific case.

You asked about the families of the disappeared. I have worked closely with the commission on the location of victims' remains, and I am aware that it is doing work at the moment. However, it is sometimes better to allow people to do that work quietly. However, you are quite right: we must never lose focus on the families of the disappeared, because non-state actors clearly violated human rights, and we need to keep the focus there, too.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Monica. I am conscious that we have now gone into Mark Durkan's time, which means that we will probably have to go beyond 1.00 pm. I ask the final six Members to speak to be conscious of that fact and be as quick as possible. Maurice has agreed to leave his concluding comments and his answers to the queries that have been raised until the end.

Mr Jim Dobbin MP: My question has been answered, so I will not waste your time.

Mr Jim O'Keeffe TD: It is proper to record the work of the Northern Ireland Human Rights Commission and the Irish Human Rights Commission, of which Maurice is the head. They have done excellent work. I hope that everyone supports Maurice's view that, although the commission does not seek surplus funds, it should have at least adequate funds to do the job properly. There is no point in having them working unless they can do an adequate job.

I will make a couple of brief points. Perhaps because of the excellent work of the Irish Human Rights Commission, we are a bit knocked down with human rights at the moment, and it is rather difficult to find our way among the forest of human rights. The Republic of Ireland has fundamental rights enshrined in the 1937 Bunreacht na hÉireann or Irish constitution, and we also have the Universal Declaration of Human Rights and the European Convention on Human Rights. Furthermore, once President Klaus of the Czech Republic hopefully signs the Lisbon Treaty in the next few weeks, the Charter of Fundamental Rights will come into existence, which will, hopefully, be followed by the bill of rights for Northern Ireland.

With all of those documents in existence, there is a growing need for some synchronization of human rights, so to speak, otherwise it will be a total jungle.

I very much like the idea of an all-Ireland charter on human rights, but I would like to see that forest of human rights sorted out and synchronized first. I like the work that is going on, which should be developed slowly and carefully, and, possibly, the issue should ultimately be dealt with in the context of the North/South parliamentary forum. I hope that policing and justice powers will be devolved shortly, and that that will be followed up with the creation of a North/South parliamentary forum. The issue of an all-Ireland charter on human rights could, possibly, then be first on the agenda for such a parliamentary forum to take advantage of the work that the two human rights commissions are undertaking.

Mr Joe Benton MP: *[Inaudible due to technical difficulties.]* — the expectancy or the request for greater responsibility towards Parliament. I wonder whether Maurice could elaborate a little on how he would like to see that happen, as responsibility towards Parliament is a very sweeping, broad thing. Do you envisage a Select Committee-procedure, or how would you like to see human rights being made responsible to Parliament?

Lord Bew: Thank you very much, Monica, for your presentation. In the document that you have given us, you have helpfully reproduced the language of the Good Friday Agreement. There is a tension between saying that the Northern Ireland human rights proposals should reflect the particular circumstances of Northern Ireland such as discrimination and bad electoral arrangements and it being influenced by wider concerns. You have clearly opted for the broader interpretation, for example, by your proposals for standard of living and the environment, in other words areas that do not reflect the particular circumstances of Northern Ireland. It would be helpful if you could comment on that.

Secondly, you said that the Good Friday Agreement contained a commitment for a separate bill of rights for Northern Ireland. My reading of the document is that it leads into a separate bill of rights, and the language does not suggest an absolute commitment. There are many strong aspirations in the Good Friday Agreement, most noticeably the decommissioning of weapons within two years, which did not happen. We were told at the time that that was not an absolute commitment, and, as I read the text here, it does not seem to be an absolute commitment, although I admit that it is heavily implied that a bill of rights for Northern Ireland would be desirable. I would like your comment on that issue also.

Ms Bethan Jenkins AM: I will speak in Welsh.

Hoffwn eich croesawu i Abertawe, fel mae Dr Dai Lloyd wedi'i wneud, gan fy mod i hefyd yn cynrychioli'r ardal hon ar ran Plaid Cymru. Hoffwn hefyd gefnogi'r alwad am
I, like Dr Dai Lloyd, would like to welcome you here to Swansea, as I also represent this area on behalf of Plaid Cymru. I too would like to support the call for a committee on equality of

bwyllgor ar gyfleoedd cyfartal a hawliau dynol yng Nghynulliad Gogledd Iwerddon. Mae'r Pwyllgor Cyfle Cyfartal yn y Cynulliad yng Nghymru yn gweithio'n eithriadol o galed yn craffu ar waith Gweinidogion ar faterion yn ymwneud â chyfleoedd cyfartal. Credaf ei fod yn bwysig fod Cynulliad Gogledd Iwerddon yn cael pwyllgor o'r fath gan fy mod wedi siarad â rhai gwleidyddion o Ogledd Iwerddon sy'n dweud nad ydynt yn gallu trafod materion fel gofal plant a hawliau pobl anabl oherwydd y diffyg craffu gan aelodau meinciau cefn. Hoffwn nodi hynny.

Mae'r cwestiwn yr oeddwn yn mynd i'w ofyn wedi ei grybwyll yng nghyd-destun y sefyllfa addysgiadol yng Ngogledd Iwerddon. Yr wyf yn gofyn am fwy o wybodaeth ar hynny, gan fy mod yn lansio llawlyfr arfer gorau o ran hawliau dynol gyda Chymdeithas Lleiafrifoedd Ethnig Cymru Gyfan cyn hir. Yr wyf am geisio newid y cwestiwn o 'Beth yw eich hawl dynol?', i bobl yn y gymuned yn dweud wrthym ni, y gwleidyddion, 'Dyma yw ein hawl dynol'. Dylid gofyn y cwestiwn hwnnw iddynt hwy yn gyntaf, cyn fod gwleidyddion yn dweud wrthynt beth yw eu hawl dynol. Felly, dyfeisiwyd system newydd o olrhain hawliau dynol drwy'r system addysg, er enghraifft, neu'r system iechyd, fel bod pobl yn gwybod sut i fynnu eu hawliau ym mhob rhan o'r broses. Os ydynt yn mynd at eu meddyg teulu gyda chwyn neu'n mynd i'r ysbyty gyda chwyn, dylent fod yn gwybod yn iawn sut i olrhain eu hawliau ar lefel weithredol, bob dydd.

Yr wyf yn gofyn gan fy mod wedi ymweld â Belfast yn ddiweddar gyda'r Cyngor Prydeinig i weithio gyda grwpiau ieuentid o'r ddau sector, yr unoliaethwyr a'r gweriniaethwyr, ac nid

opportunity and human rights in the Northern Ireland Assembly. The Committee on Equality of Opportunity here in the Assembly in Wales works extremely hard, scrutinising the work of Ministers on issues relating to equality of opportunity. I think that it is important that the Northern Ireland Assembly has a similar committee, because I have spoken to some Northern Ireland politicians who say that they cannot discuss issues such as childcare and the rights of disabled people as a result of backbench scrutiny. I would like to put that on record.

The question that I was going to ask has been mentioned in the context of the education situation in Northern Ireland. I ask for more information on that, as I will shortly be launching a book with the All Wales Ethnic Minority Association on best practice in human rights. I want to try to change the question from 'What is your human right?' to people in the community telling us 'This is my human right'. That should be asked first, before politicians start telling them what their human rights are. Therefore, a new system has been designed for tracking human rights through the education system, so that people know how to demand their rights in all parts of the process. If they go to their GP with a complaint or go to the hospital with a complaint, they should know how to track their rights on an everyday, practical level.

I ask because I recently visited Belfast with the British Council to work with youth groups from the two sectors, the unionists and republicans, and they did not know why there was a lack of co-

oeddent yn gwybod pam fod diffyg cydweithredu rhwng y grwpiau ieuentid yn yr ardal, er y newidiadau. Felly, er bod symud, yr wyf yn credu bod llawer mwy o waith i'w wneud gyda'r bobl ifanc. Fel a ddywedwyd eisoes, nhw yw'r dyfodol. Yr wyf yn credu ei fod yn bwysig iawn eu bod yn cael y cydweithrediad hwnnw. Yr oeddwn am ofyn pa ffurf fydd i'r siartr er mwyn i hyn allu cael ei weithredu ar lawr gwlad. Diolch.

operation between youth groups in the area, despite the changes. Therefore, even though there has been progress, I believe that there is much more work to be done with the young people. As has already been said, they are the future. I believe that it is very important that they have that co-operation. I wanted to ask what form the charter will take so that this is implemented on the ground. Thank you.

Lord Dubs: I shall be very brief. First, I thought that both presentations were excellent. Thank you, Monica and Maurice. I also thank Monica for what she said about the Joint Committee on Human Rights at Westminster, which I think works pretty well, although it is not the most popular Committee with the Government, because it has been quite critical of it. Nevertheless, it seems to do something that goes a bit wider than just equality of opportunity, and I would find it useful if all the Parliaments and Assemblies that are represented here had similar Committees, because we could then engage regularly and collaborate with each other under the BIPA umbrella. So, I hope that the move that Monica instigated will be able to happen.

Finally, we on the Joint Committee on Human Rights welcome Monica's work to develop a bill of rights, which we have been considering. However, given the work that you have put in—we have put in some work on our side—I am disappointed that it looks like there will be no progress on this side of the British election. After the election, however, we must keep the pressure on whoever forms the next British Government.

The Co-Chairman (Niall Blaney TD): Thank you, Alf. I know that other Members wanted to get in, but due to time constraints we have to cut things at this point.

Dr Manning: I shall be very brief, because I am conscious that the next speaker is waiting. Jim O'Keeffe was absolutely right about overload, and one way in which a human rights commission can help Members of Parliament is to give expert advice in cutting through the thickets to get to the essential points and clarification. A principal purpose behind the establishment of a human rights commission is that it acts as the human rights adviser to the Government. However, there is no reason why it should not also act as an independent human rights adviser to Members of Parliament. The Irish Human Rights Commission is available to all parties.

Secondly, Joe Benton asked about the relationship between Parliament and human rights commissions. Essentially, the relationship is fairly straightforward. As I said, the all-island joint committee would be modelled on the Joint Committee on Human Rights in Westminster, with similar powers and to which the Irish Human

Rights Commission would feed in expert advice. In addition, there could be an annual debate in the Irish Parliament on the Irish Human Rights Commission's report. Maybe, as Terry Leyden suggested, the Irish Senate should be designated with special human rights responsibilities and build up its expertise in that area. Furthermore, after a process of advertising, interviews and so forth, a Parliament's human rights Committee, rather than the Executive, should have the final say on the appointment of commissioners. Those are just some suggestions.

Professor McWilliams: Paul Bew asked why the Northern Ireland Human Rights Commission chose a broader interpretation of its mandate. I am not sure that we should be criticised for adopting that interpretation, because some people would have argued that, had we left out some of those rights, we would not have been attending to the past any more than if we had considered just political and civil rights. Some causes of the conflict lay in the socio-economic arena, so we argue that, judicially, those rights should be treated differently.

The Northern Ireland Assembly does something very powerful that does not happen in Scotland, Wales and Westminster: it publishes a Programme for Government, which includes priorities for action and targets. Consequently, it is easy for the commission and others to monitor progress. When we talk about people achieving an adequate standard of living, it does not mean that we would interfere with policy decisions about minimum wages or, as someone from a Department asked me last week, someone's right to demand a particular job.

That is not the aim of those rights. The right to education already exists, and it is regarded as a socio-economic right. Yet it was incorporated in the Human Rights Act 1998, when those other rights were not. We suggest that the other rights be treated in a similar way. In other words, there should be no regression or going back. That is why we argue that the commission could monitor the Programme for Government via a Committee such as that which Maurice promoted, so that the Assembly's Executive are examined on their own progress as set out in their own Programme for Government in relation to those rights.

One might argue that Northern Ireland is unique because it has a land border that is frequently crossed. That particularly leads to abuses of environmental rights, which have hit the media from time to time. It depends on how one looks at it, whether it is a person who has had their rights violated or whether it is the environment—as in this case—that has been subjected to bombs and devastation. It could also be because of the way that the border has operated. Perhaps people have not recognised the differences and have found it easy to dump something somewhere else.

The trafficking of human beings is a particular example with which the two commissions are very familiar and with which we have had to engage. It is about how easy, for sex-trafficking purposes, those who violate rights have found crossing that border to be in avoiding being caught and held accountable. Therefore, it

depends, Paul, on what one sees as the particular circumstances, and we argued that there was justification for including those rights.

There is never a commitment to legislation in relation to government asking anyone to produce advice. The Government decide afterwards on the form that that legislation will take, or, indeed, whether there will be legislation. However, let me read you what the two Governments said when they met in 2003, which was a number of years after the agreement in 1998. They stated that there had been substantial progress on the bill of rights. They also said:

‘At the conclusion of that process, and after consultation with the parties, the British Government is committed to bringing forward legislation at Westminster where required to give effect to rights supplementary to the ECHR to reflect the particular circumstances of Northern Ireland.’

If they did not mean that, why did they declare that in a joint declaration in 2003? We can do only what we do. Of course, the Governments told us what they would do. It is now 2009, and they wrote that in 2003, so I share Lord Dubs’s concerns that the matter has not progressed to that stage in the life of this Parliament.

I agree about the importance of education. The next generation is incredibly important in relation to my generation and the people in this room standing up and saying ‘Never again’. The way that those kids will learn that is through the terrible violations that took place and through positive rights — not negative rights and not the fear — and the hope that those rights can give. Probably one of the most encouraging parts of my work is going into the schools and, more recently, the youth clubs, of Northern Ireland and seeing that happening.

Believe it or not, that is also happening through the role of ex-prisoners who have now taken on board this piece of work and are telling people not to do what they did. I recently chaired a forum in which ex-prisoners took part, and they are now being invited into schools alongside those programmes to do that work. That is incredibly educational because the people who walked the streets and had that experience are, unfortunately, also the kind of people to whom the kids will look, rather than to me, to tell them what the future looks like.

However, it is an unfinished business. You and I have to be ready to pass the baton, and they have to want to pick it up, so it has to be exciting and interesting in order for them to do that. I am very interested, and I will talk to you about what is going on in Wales, because we are not that different in relation to many of the issues in which you have also been engaged.

The Co-Chairman (Mr Niall Blaney TD): Thank you very much, Monica and Maurice, for a very informative discussion on human rights, North and South. During our deliberations this morning, a number of issues were raised by both of you. I put it to the Assembly that, with your agreement, Paul Murphy and I will write, on your behalf, to the British and Irish Governments and the Northern Ireland Executive to

raise your concerns and to see whether there is a way forward on those matters. Are Members agreed?

The Assembly indicated assent.

ADDRESS BY MR MARK DURKAN, MP, MLA

The Co-Chairman (Mr Paul Murphy MP): Mark Durkan, a Member of Parliament, a Member of the Legislative Assembly of Northern Ireland and leader of the SDLP, has accepted our invitation to address the Assembly. Mark has been a great friend of mine for a long time. He is a former deputy First Minister of the Northern Ireland Executive, and he has huge experience in Northern Ireland politics. We welcome you, Mark, and look forward to what you have to say.

Mr Mark Durkan MP MLA: Thank you very much, Paul. It is a delight to be here under your chairmanship. I recall being under your chairmanship when we negotiated the Good Friday Agreement. You chaired strand one, and your patience and prescience during that time have been under-recognised since. A lot of showboating and glory-storying has gone on around the agreement and events since. However, your personal contribution, its integrity, quality and consistency, is something that I am delighted to have the opportunity to recognise here.

I also recall that you represented the British Government at the first serious discussion of strand three, British-Irish relations, during those talks. You represented the British Government on a day when the Irish Government could not be represented by David Andrews or Liz O'Donnell and was, instead, represented by the then Minister of Defence, Michael Smith. In the discussions that day, all the parties presented their positions on strand three and talked about British-Irish relations and, of course, that great phrase 'the totality of relationships' came through in everyone's contributions.

George Mitchell took the phrase for granted and did not bother about it, but Harri Holkeri, the co-chairman, from Finland, was really taken with the phrase, perhaps because of his Finnish background. He saw the nuances and sensitivities of it and enquired about where the phrase had come from. Seamus Mallon took great delight in saying that it was from Charlie Haughey. All the Unionists who had used the phrase then made it very clear that they did not mean or intend the same thing as Charlie Haughey.

So the talk went around the table and finally came the contribution from the British Government. I recall Paul Murphy making the point that, whatever people meant or understood by 'the totality of relationships', if, around that table we could come up with an agreement, we would be defining and informing 'the totality of relationships' for the future. He made the point that all the parties in Northern Ireland had a huge contribution to make and a huge power in their hands because, if they reached an agreement, it would be endorsed by all the people of the islands. He then observed that it was not just the parties in Northern Ireland, because the Irish

Government were represented by Mr Smith and the British Government were represented by Mr Murphy. There is totality of relationships for you.

I have been asked by the Co-Chairman to talk about events that are current in Northern Ireland. History is current affairs in Northern Ireland, so that gives me a very wide canvas. Let us examine where we are in not just the process but in the agreement. In strand one, we have the Assembly working, although not very well at times. Last year, for example, it was not allowed to perform its legal role of having a Budget presented, discussed and approved by the Assembly, so the 1998 Act was completely bypassed last year. The Executive simply felt that they were able to do it, and none of the rest of us could afford to take them to court. The law, therefore, was bypassed.

Furthermore, the Assembly is, at times, being used to rubber-stamp things that should be debated more fully, such as the proposed new local government boundaries. Last year marked the fortieth anniversary of the civil rights movement, but the Assembly was presented with a Bill to appoint a local government boundary commissioner and define and determine the local government boundaries, according to a deal that was done between Sinn Féin and the DUP. It was presented under accelerated passage, so there was no Committee stage for the legislation, no evidence could be called for, no one could give their views, and it was just microwaved through. It was almost a glimpse of the old Stormont. The deal was done in Stormont castle, which is the seat of the First Minister and the deputy First Minister and used to be the seat of Stormont Prime Ministers, and was simply rubber-stamped in the Assembly Chamber.

The question of the victims' commissioners was dealt with in a similar fashion. Instead of there being a single victims' commissioner, as had been intended and provided for, suddenly a deal was done between Sinn Féin and the DUP that there would be four victims' commissioners, and, again, it was microwaved through the Assembly under accelerated passage with no right of scrutiny in Committee and no right to give or take evidence.

Although aspects of devolution are working very well, some bad habits are creeping in, and it is only fair to report and share that. One reason why the proposed new local government boundaries are an issue is that, bizarrely, 200,000 people in Northern Ireland will be removed by the new boundaries and taken from councils that are currently or will be under overall nationalist control to councils that will be under total unionist control. There are no people moving in the opposite direction, which means that there is a bit of gerrymandering going on.

The control of the councils as they are at present broadly reflects the balance of the population as a whole, but we will move away from that position under the new boundaries, and there will be no challenge to or scrutiny of those changes. That suits the DUP on the one hand, and on the other hand it suits Sinn Féin and its agenda in the cities, as they see it. The boundaries suit Sinn Féin in party terms, even though they do not suit the nationalist community. Those changes are to be made in

circumstances in which we have no agreed mechanisms or protections for decision-making at council level. When we consider the significance of those issues and how they contributed to the emergence of the civil rights movement, it is amazing that those proposals have been made in the past year.

Of course, the positive side of strand one is that all the parties that should be in the Executive are fully engaged, so everyone has signed on for the institutions to that extent, which is great. We are on the threshold of achieving further completion with the devolution of justice and policing, which is something that the SDLP wants to see happening sooner rather than later. Indeed, prior to this phase of devolution, when we had the Hain Assembly Committee on Preparation for Government under Jim Wells as one of its Chairpersons, the SDLP proposed the creation of a proto-Ministry of justice so that, when the Executive were being appointed in this round of devolution, there would, essentially, already be a Minister of justice appointed who would have some functions that are already devolved under his or her portfolio. There are functions that relate to justice issues that would allow a justice Minister to continue to work with a Committee of the Assembly towards the full devolution of justice and policing. Unfortunately, no other parties supported that idea at the time, but, if it had happened, we would be making steadier progress, and we would not have been caught up in some of the antics and semantics that have delayed the process for another couple of years.

It is important that we achieve devolution of justice and policing. First, the Assembly will not be worthy of the name of a legislative assembly for as long as it does not have the power to legislate in respect of the criminal law. Therefore, the Assembly should get completion of its own role. Secondly, it will be much better for the Executive to have under the devolved roof the full suite of powers that were intended by the Good Friday Agreement. It will allow us to mesh better a whole range of services that need to interface and connect and allow us to create much better budgetary integration across services. We need devolution for those reasons.

It is also important that we achieve devolution in order that we can disarm the dissidents of their sinister logic in the use of language such as 'Crown forces' and 'British police force'. When they are trying to justify their attacks on or threats against police officers and, increasingly, police officers' families and loved ones, they use that language constantly. They are stuck in the language and the think of Provo-speak from the 1970s and 1980s. One of the ways to help to disarm them of that language is to create a situation in which we no longer have to listen to British Ministers speaking on behalf of the Police Service or accounting for the Police Service or the criminal law. It is very important that that is done truly and fully on a devolved basis.

For similar reasons, we want to see a strong North/South element front-loaded into devolution when it happens. There should be a justice sector in the North/South Ministerial Council from day one. That makes sense when we consider the worries that all parties concerned, including unionists, have about the consequences of the dismantlement of the Assets Recovery Agency in the North and

the throwing of that task to the Serious Organised Crime Agency (SOCA) in circumstances in which we feel that SOCA is not interested in a number of the people whose collars the Assets Recovery Agency would have been feeling. There is a cross-border dimension to the area of criminal assets and a need to intervene on those who are clearly operating on a cross-border basis at a number of levels.

The SDLP has a problem with the form of devolution that is being proposed by Sinn Féin and the DUP, which has been legislated for by the British Government at Westminster. It provides that the Minister of Justice will not be appointed under the principle of inclusion according to democratic mandate but on the basis of allowing the two largest parties to discriminate against any party that is entitled under the agreement to an additional Ministry and to bestow patronage on a party that is not. Given the recent anniversary of the civil rights movement, we should remember that the old Stormont began by removing the protection of proportional representation at local government. It then removed the protection of proportional representation in the Parliament. That was the onset of all the misrule.

This time round, this regime is beginning by getting around and bypassing the provision for proportional representation at the Executive. When the rules are changed to avoid a due outcome and to get a different outcome, that is gerrymandering, and that is what happened in this situation. The SDLP has an objection to that. It is not simply because it is we who would be discriminated against and shafted in this instance. At one point, when the British Government were putting legislation through the House of Commons that would have specifically barred the Alliance Party from taking office, I opposed that as well. Although I did not support the rest of the form of the legislation, I said specifically that a party that is neither unionist nor nationalist cannot be precluded from holding the justice Ministry. I am not here to say that it should go to the Alliance Party, but I will certainly not legislate that that party should be discriminated against deliberately.

Therefore, we do not take that stance simply because the SDLP is affected; we would take it for any party, just as I refused to go along with the exclusion of Sinn Féin in October 2002, when Tony Blair sat us down and told us all the reasons why that should, could and needed to happen and described all the wonderful cover that the British Government would give us if we delivered exclusion at that time and sustained the institutions. The SDLP has never bought into exclusion when it came to anyone else, so we make no apologies for opposing it when it comes to us.

As regards strand two, Alex Attwood made a point that reflects much of my position. At present, strand two is going slow and staying low. That is because of the ongoing review that was created in the context of the St Andrews Agreement, which is supposedly a value-for-money review of existing bodies in areas of co-operation and implementation bodies. It was, however, also supposed to be open to recommending new areas of co-operation. We are still awaiting that report two and a half years later. Basically, no one expects much to happen or the earth to move when that report comes out. That is simply not good enough.

Clearly, when the agreement was established, we envisaged that there would be more than just the six initial areas for implementation and more than just 12 areas of co-operation. We also envisaged that those would develop. That fact is that, during the current period of devolution, we have not moved as far as we should have from the rut of care and maintenance that existed during suspension. It is not as though there is not good cause to move. We hear from many sectoral interests in a number of policy areas and live and active policy communities in a number of fields, who are putting forward good ideas and proposals for better cross-border planning, engagement, co-operation and co-ordination. Yet, the system is not picking that up.

At a time, too, when there is serious pressure on public expenditure, North and South, it makes an awful lot of sense to be co-commissioning in a number of areas in order to achieve economies of scale for longer-term investment and to try to achieve procurement efficiencies. Therefore, we should be widening, deepening and heightening North/South co-operation, rather than trying to diminish it, which seems to be the current agenda.

Similarly, as regards strand three, which deals with British-Irish relations, people often think that nationalists wanted only North/South and that strand three was there for unionists. Some colleagues here served with me in the SDLP during the forum for peace and reconciliation in Dublin between 1994 and 1996. In February 1995, the framework documents arrived. I presented the SDLP's position on those documents and was critical of how unambitious strand three of the proposals was. I suggested that much more could and should be happening on a British-Irish level. At that stage, I was anticipating the possibility of devolution in Britain and said that we should be much more ambitious and give ourselves much more planning scope.

Earlier, during discussions, I mentioned the transition to a digital platform. The entire field of broadcasting and communications must be looked at on a British-Irish level. As I said to you, Co-Chairman, when you were a Minister, in the context of the British-Irish Council, when the British Government are legislating with the UK Marine Bill and bringing forward ideas for marine management organisation, the different devolved Administrations and other bodies may have different ideas. If anything unites all eight Administrations on these islands, it is the marine environment. If we cannot have one common management organisation for the marine environment, we should, at least, have one compatible, coherent framework to ensure that there are no gaps, contradictions and crazy duplications. We advocate a deepening and widening of the British-Irish institutions as well as the North/South institutions.

A lot of people, including the Secretary of State in particular, often make the point that the devolution of policing and justice is the outstanding piece of the jigsaw. They make out that the entire agreement will have been implemented when policing and justice is devolved. However, as the previous discussion indicated, that is not true. A bill of rights was envisaged as an integral part of the architecture of the Good Friday Agreement. That needs to be in place if we are going to develop the agreement's structures and use its review mechanisms to move on. If there is a

strong, robust and reliable bill of rights that is articulate on social, economic and environmental issues, parties will be able to rely less on some of the clumsier protections that are built into the agreement, protections such as cross-community voting, which are often used quite negatively at present and in ways that we never intended them to be used when we negotiated the agreement.

Paul Murphy, as the chairperson of strand one, will recall that we negotiated a few paragraphs of the agreement that provided for a process that would be used in the Assembly in the event of there being issues of concern about human rights or equality. However, that process has never been used. Instead, parties in government sometimes use the voting protections to ensure that there is deadlock in the Executive or OFMDFM and prevent some issues from even reaching the Assembly.

That tactic has caused the nonsense in the education system, in which Sinn Féin and the DUP think that they have reached a Jack Sprat and wife solution. One party wants to claim that it has abolished the central system of academic selection, and the other wants to say that it has defended the right of schools to admit via academic selection. However, unlike Jack Sprat and his wife, they have not left the plate clean, they have left an absolute mess, and there is uncertainty for schools, teachers, parents and pupils. We have the bizarre situation of a legislative Assembly refusing and failing to legislate on an area in which people want the certainty of legislation. People do not want to have to rely on a Minister's guidance, because the individual and party holding that ministry may change. We cannot put our education system into that sort of uncertainty, and that problem has been created by a misapplication of some of the protections that were built into the agreement.

Therefore, we should not rule out finding a better way of doing things and of protecting people's legitimate rights and interests. People have rights and interests beyond their unionist or nationalist identities. People have rights and interests as professionals working in the education system, as parents and as children who are entitled to real expectations and positive experiences. We are failing in that regard, but the creation of a competent, coherent bill of rights is one way in which we could improve and move on in so many ways. Please do not underestimate that.

As Monica said, it is not enough to deal with this issue in the context of a UK bill of rights. I will make one partisan comment about the talk of the UK abandoning the Human Rights Act. Monica referred to 'Churchill's Legacy: The Conservative Case for the Human Rights Act.' People should remember that every right in the original Universal Declaration was an inversion of a transgression by the Nazis or their allies. That may be why the rights of people with disabilities were not included unless they had been injured in war. To dispose of something that has such provenance would be dangerously casual. I urge you to allow us to have a bill of rights in Northern Ireland and make sure that you maintain a robust Human Rights Act elsewhere.

[Applause.]

The Co-Chairman (Mr Paul Murphy MP): Thank you very much, Mark, for a thought-provoking critique and an overview of the position in Northern Ireland.

Mr Jim Wells MLA: Mark has been his usual articulate self. He has decided to step aside as leader of the SDLP, and all Members wish him the best.

[Applause.]

Mark and I were at Queen's University together some time before the Boer War. *[Laughter.]* Many people told me that he was too nice a person to be involved in politics. That remains true. Maybe, he has recognised that and will take more of a back seat.

The devolution of policing and justice is a controversial issue in Northern Ireland, and there is an element within unionism that finds it totally unacceptable. The issue being highlighted is any form of cross-border involvement in policing, which is very difficult and deeply symbolic for many unionists. As Mark knows, one of our wings is being attacked strongly on the issue, so I urge him not to be too enthusiastic at present about referring policing and justice to the North/South Ministerial Council or to any form of North/South scrutiny.

You will find with unionists that they have to move at their own pace on this issue, and Members know how long it took for unionists as a community to become involved in the British-Irish Parliamentary Assembly. We are now perfectly comfortable and will play our part. However, I would not try to bounce unionists on this issue. The matter should be kept low-key, because it would be most unhelpful to do raise that spectre at this stage.

Ms Cecilia Keaveney TD: I also wish Mark well. I accept that processes sometimes have to be three steps forward and maybe five steps back. Unionists are here, and it was not as big a threat as they thought it would be.

Coming from Donegal, however, I cannot but say that the issue of cross-border crime is very important. The problem of the mobility of the criminal and their assets is compounded because there is no border to what is happening. One may talk about the level of co-operation and scrutiny. However, it is a win-win situation for the general public if there is maximum co-operation. There is co-operation that tries to minimise the impact that people engaged in nefarious activities have on all our lives. I ask unionists to look at some of the other concepts that they bought into and which they afterwards found not to be as scary as they first thought. I understand how sensitive the devolution of policing and justice is, but, from my geographical position, there is far more to win from co-operation than there is to lose.

Mr Seymour Crawford TD: I wish to thank Mark for his normal, straightforward way of speaking, and I wish him well for the future. I fully understand—at least, I think I do—where Jim Wells is coming from, and I understand

the sensitivities that exist. However, as I said earlier, we were able to move forward in south Armagh, and there is a big danger that we keep putting the devolution of policing and justice on the long finger. If there is no movement towards devolution next year alongside a general election and an Assembly election in Northern Ireland in 2011, my worry is that a gap will be created, and it will be difficult to achieve a liaison between North and South under the present structure. I believe that things would be much easier under another structure.

There is a small group of people involved not just in petty crime but in serious efforts to disrupt the whole process. A move forward on policing and justice could more quickly deal with that situation. I may be wrong, but it is important to nip that activity in the bud. Do not forget that the devices that were discovered in Forkhill were live bombs, as were those in Donegal town, in Belfast only a few days ago and in Roslea. It is happening quite often.

I recently attended another meeting that was in held in private, but there is no harm in repeating what was said at that meeting by a young student. His friend had just joined the PSNI, thinking that it was a good job for the future, but, having moved to Fermanagh, he was living in fear for his life. We want to get away from that situation; the sooner we have a definite structure in place for policing and justice, the sooner we can have a real end to the present struggle. I wish that people would look at it that way and look at the positives. Some people see a glass half full, while others see it half empty. I believe that it is more than half full now, and we should grasp the nettle while we have the opportunity.

Finally, I appreciate Mrs Clinton's visit and everything that she said when she was in Northern Ireland. I fully understand the extreme pressure that there has been on the Taoiseach's time recently, what with the Lisbon Treaty and the economic situation, but there is a need for the Taoiseach and the Prime Minister to be more active on the question of devolution and try to deal with it once and for all.

Mr Mark Durkan MP MLA: Thank you for those points and for Jim's compliments. I will embarrass Jim by reminding him in front of the gathering that, when he and I participated in students' union meetings at Queen's University, the speaker of the union always called Jim to speak under the name Seamus O'Tubber. *[Laughter.]* Jim never hesitated to speak under that name.

I would say to Jim that it is not a matter of gratuitously playing up the North/South aspect in relation to the devolution of justice and policing; it is a matter of creating some certainty. If we are achieving devolution in strand one, let us also make sure that we have a mature, honest, upfront realisation in strand two and in strand three, as will be necessary, and in the UK through whatever joint ministerial committees will be set up. I have no doubt that a Northern Ireland Minister of justice or someone acting on behalf of the Executive will be involved in some of those structures. If that happens and if people are included in all sorts of UK frameworks as well as in their own Northern Ireland devolved framework, it is important not to

create unnecessary frustration or uncertainty about how to deal with matters on a North/South basis.

If unionists are suspicious about what would happen on a cross-border basis, it should be in their interests to ensure that it happens through the auspices of the North/South Ministerial Council. Under the rules of sufficient inclusion, Ministers from specific parties cannot do their own thing and claim that they can do so because the matter is outside the scope of the NSMC. Through the NSMC, meetings must be notified, the committee must be notified, agendas must be provided in advance, and, of course, statements are made afterwards. If we want to allay suspicion, create more transparency and be upfront about issues, it makes sense to do so through a sectoral format of the North/South Ministerial Council.

Cecilia has, from a local context, touched on a number of the practical issues in border areas. We do not want increased co-operation only in border areas. However, there is more and more pressure on police operational power in border areas, some of which cover quite a wide geographic sweep. Given the pressure on policing numbers North and South not only now but in the future, it is important to increase direct communication and to create compatible communication systems between police services in the North and in the South. Those do not exist at the minute. At the moment, people have to go to the centre on one side of the border and back to the centre on the other side of the border and then see whether someone can connect and whether someone can put the word out onto the ground. If compatible communication systems were procured, which would be a sensible development that could be done through the NSMC, we would all be in a much better way. No jurisdiction would lose out, and everyone would gain with regard to performance, except those trying to defy the law.

I fully agree with Seymour's point. We should not underestimate the dissident challenge. We like to say that they are only wee micro-groups that have no mission, no agenda and no mandate. However, the degree to which they have been able to demonstrate their capacity is worrying. The geographic spread of incidents for which they have been responsible is worrying and gives rise to questions about the quality of intelligence. It also gives rise to questions about the quality of intelligence-sharing with the Police Service. The SDLP has fundamental reservations about the change to intelligence policing in Northern Ireland. Patten was clear that the PSNI should take the lead on intelligence policing. Of course, the British Government have changed that and given MI5 the lead on intelligence policing. We are not convinced that the quality of intelligence on some dissident groups is right, or perhaps it is not being shared in the way that it should be shared.

The big police operation across Northern Ireland recently was clumsy, inconvenient and created a lot of sensitivities. Did it have to be so widespread? Would better intelligence have enabled it to have been better targeted? I do not know. However, it is a legitimate question. At an underlying level, the case is clear. The devolution of justice and policing can disarm the dissidents of some of their rhetoric and sinister logic. Therefore, we should do it. We can deny them that

incentive, because, every time they hear rumours of instability, every time there is verbal turbulence in the political system between the First Minister and deputy First Minister or whoever about the devolution of policing and justice, every time the dissidents see that uncertainty played out, they sense instability. Any suggestion of instability is an incentive for them further to destabilise by violence. We need to seal the deal on the devolution of policing and justice, so that they know that we are all four-square behind completion of devolution and the agreement and that we are then moving on to other things with good purpose.

Mr Hugh Henry MSP: Mark's contribution was certainly thought-provoking. It was impassioned and, obviously, very subjective with a view that may not be shared by others. However, he did raise some very significant issues.

The process of devolution from a UK perspective was about enhancing democracy throughout the United Kingdom. We all recognise that Northern Ireland has some specific and unique issues, but those issues should not be allowed to reduce or negate the intention of the enhancement of democracy. I am not familiar with the detail of what is going on in Northern Ireland, but, if even a little piece of what Mark said is true, there are issues that go beyond Northern Ireland on which the UK and Irish Governments should reflect. There could be longer-term issues for how devolved Administrations throughout the United Kingdom operate and how they are answerable to the democratic process in their institutions.

Mark has thrown down a challenge to all of us. One comment that was made earlier was that there is a lot of talking and sometimes not a lot of action. However, the issues that Mark raised are fairly fundamental, and, if this Assembly and, indeed, the British-Irish Council are to have any relevance or significance, we must reflect on some of the points that he has made and at least give them due recognition. If they are in any way legitimate, they should be answered and not brushed aside. I hope that those with power and influence in this and other bodies will examine those issues and report back to us on what has happened as a result of those issues being raised.

Mr Mark Durkan MP MLA: I thank Hugh for his comments and for picking up on some of the points that I raised. It is important to remember that I raised those concerns not because, as some think, I am hung up on or fixated with what I helped to negotiate or write into the agreement. Some people think that I am caught in a time warp about these matters, which is why it will be good for me and the SDLP when I step down as leader, because, when the party addresses those issues, it will not be seen as just my personal fixation. If we are to create a real sense of belief and integrity around our devolved institutions, people need to understand that, if something has been done by way of a constitutional settlement or undertaking, it will be lived up to. They must also have a sense that that settlement will be lived up to and that things will not be expediently tossed aside, as happens all too often.

I have been through many frustrations since the agreement. We have been up and down in suspension more times than a bungee jumper and had stand-offs

and stalemates on many issues. For most of that period, one of the problems was that the two Governments were more concerned about and precious about the process than the institutions and the agreement. Once the Irish people ratified the agreement, the institutions should have been the process, and the process should have been the institutions. However, the Governments sort of said, 'No, the process is more important, so we can suspend the institutions, change the rules on the institutions, we can abandon things that were in the agreement and do away with democratic inclusion and those things that were central to the agreement'. The more you do that, the more dangerous things become, because people then have nothing to rely on.

As we face the issue of devolution of policing and justice, it is important now, more than ever before, that the process is the institutions, and the institutions are the process. The First Minister and the deputy First Minister brought the parties in last week to brief them on the financial package and other matters. Although there were, on occasion, wee outbreaks of separate negotiations—the First Minister or the deputy First Minister having their own negotiations in Downing Street—the fact is that the more the First Minister and the deputy First Minister, as the heads of the devolved Administration, deal with those negotiations and brief other parties accordingly, the more issues can be washed through the relevant Assembly Committee, which is the Assembly and Executive Review Committee. The more that can be done on the basis of the process being the institutions and the institutions being the process, the better.

I fear the possibility that, as we seem to be on the threshold of people being broadly content, insofar as anyone can be content with the financial undertakings that have been given in this environment, there is a big danger that the DUP will be tempted to say that it can turn the imperative around on the two Governments. If the devolution of justice and policing is a major imperative, as the Governments are telling us that it is, the DUP will do what everyone else has done at every previous stage in the process: it will turn the imperative around and extract significant prices for delivering it. That is what everyone else has done. Each time Sinn Féin moved on a bit of language in relation to decommissioning or some other matter, concessions were given, and it is a similar story on the unionist side.

In those terms, it will be tempting for the DUP to say that it cannot just be seen to sign on for devolution of justice and policing without banking something on parades, for example, or sorting out the problem that it created for itself around the appointment of the First Minister and the deputy First Minister. At St Andrews, the DUP departed from the Good Friday Agreement, under which the two Ministers were jointly elected, to saying that the largest party will appoint the First Minister. Unionists are now spooked by the prospect that Sinn Féin will become the largest party and will have the First Minister. It will ask for a reversion of the agreement by way of a mini-review as part of its price for agreeing to devolution, because that forms a part of the issue of unionist confidence.

The history of the process has been that, when a party in the DUP's situation makes such a demand, the British Government find it hard to resist. The Irish Government will then find it impossible to go along with, and the rest of us will be stuck with it. I do not mind a reversion to the agreement, because I opposed what St Andrews did in the first place. I opposed even more strongly what Sinn Féin and the DUP were planning to do, which was to have joint election of a First Minister and a deputy First Minister on penalty of exclusion for any party that did not vote for them, thereby abandoning inclusion. The way to avoid that was to appoint according to the largest party. I will not mind that change, but there will be several other things that the DUP will try to look for.

The DUP could well go for a mini-review. On the one hand, it will want to stitch in the UUP. It will want to be able to tell the UUP that it has to be involved and that it cannot afford to pick its position afterwards and attack the DUP. On the other hand, the DUP will want to be able to tell Jim Allister that it got changes to the St Andrews Agreement, and it will get more now and in the future and will ask Jim Allister what his strategy will be. As we are now putting such pressure on in relation to the devolution of policing and justice and assume that it will happen, we should not be surprised when that tactic is deployed and the imperative is reversed on the rest of us, as the history of the process would suggest is likely.

[Applause.]

The Co-Chairman (Mr Paul Murphy): Thank you, Mark, for that fascinating three quarters of an hour. We will break for lunch and meet again at 2.30 p.m..

The sitting was suspended between 1.20 p.m. and 2.35 p.m.

THE RECESSION

The Co-Chairman (Rt Hon Paul Murphy MP): Order. The Assembly will now resume in public session for this afternoon's proceedings. Before we continue, I have a text message from Michael Mates, in which he tells us that he has had a successful operation on his knee. He wishes you all the very best for the conference, and he is sorry that he cannot be with you.

The Co-Chairman (Mr Paul Murphy MP): The first item of business is interesting in many ways, not least of which is that it shows how this Body is developing, going beyond a Body that has concentrated in the past, quite rightly, on the issues affecting Northern Ireland to one that deals with issues that affect all the jurisdictions. The most significant issue affecting all the jurisdictions at the moment is the recession. So, this afternoon's session will be almost entirely on the recession. The format is that John Griffiths is with us today. He is a Member of the National Assembly for Wales, the Deputy Minister for Skills in the Welsh Assembly Government and, of course, a former member of this Body, but most importantly, he represents a Gwent constituency. I have known John for many years, and he is a very able man who is doing a great job as the Deputy Minister for Skills. He will be able to

explain to you the various initiatives that the Welsh Assembly Government in particular, together with the British Government, is implementing to alleviate the hardships resulting from the recession so that we can all learn from each other's experiences.

When John has finished his address, he has kindly agreed to take any questions that you might have. I will be strict on the nature of those questions because, following the questions, after which John has to leave, we will go into a proper debate on the issues, which is when those who wish to may make longer contributions as part of the debate.

Thank you very much indeed, John. We look forward to hearing what you have to say.

Y Dirprwy Weinidog dros Sgiliau (Mr John Griffiths AC): Diolch yn fawr, Paul, a phrynhawn da i bawb. Ar ran Llywodraeth Cynulliad Cymru, hoffwn eich croesawu unwaith eto i Gymru a diolch ichi am eich gwahoddiad i gyflwyno'r anerchiad am ymateb Llywodraeth Cynulliad Cymru i'r dirwasgiad.

The Deputy Minister for Skills (Mr John Griffiths AM): Thank you very much, Paul, and good afternoon to you all. On behalf of the Welsh Assembly Government, I welcome you one more to Wales and I thank you for your invitation to make this address on the Welsh Assembly Government's response to the recession.

As you said, Paul, I am an ex-member of the Body, and it is great to see some familiar faces and old friends here today. I have followed with interest the way in which the Body has developed over the last few years. It is gratifying to see the role that it now plays. As you say, today's discussion and debate is an example of the Body's widening ambit.

I am always pleased to be associated with the Body because of my own Irish connections, which I boringly always mention on these occasions. The fact is that my mother was born on Valentia Island, and I was back there just a few weeks ago. Sadly, I missed Kerry's win in the all-Ireland final—

Some Members: Oh.

The Deputy Minister for Skills (Mr John Griffiths AM): Yes, again. But my family were predicting the victory, and their optimism was borne out by events. It was great to be back there anyway.

It was interesting to be in Ireland to get a flavour of the recession's effects on the Irish economy, to be able to compare and contrast with what is happening in Wales and the UK as a whole. There are many common factors, but there are considerable differences as well.

I will give you an outline sketch of the Welsh Assembly Government's response to the recession, concentrating in particular on skills, because that is my ministerial responsibility. I hope that it will prove useful for you in comparing and contrasting what is going on in the different parts of the world that the Body covers.

Personally, I must say that, with regard to the response in Wales, I have been struck by the immense determination on the part of employers, trade unions, representative bodies, the Welsh Assembly Government and training providers to ensure that we get through this recession as unscathed as possible and that we are fit for the upturn when it comes. It has been a huge challenge for everyone to react properly to the recession. As a Welsh Assembly Government, we have been clear in saying that we understand that we are limited in what we can do, as any Government anywhere is limited in what it can do. There are huge forces at work; we are in a global economy and the financial and banking sector aspects are different in kind to what we have seen before. So, it is a huge challenge, but the only way to try to get through it and be fit for the upturn, when it comes, is by pulling employers, trade unions and Government together. That is what we have tried to do through a series of economic summits across Wales.

Before I go into the detail of what we have done, I will give a little background. Over the past decade or so, Wales has benefited from strong economic growth, particularly in the private sector. Throughout most of this period, unemployment levels consistently fell in Wales below the UK average. This demonstrated that positive structural adjustments were taking place in the Welsh economy.

Of course, we still have our fair share of long-term problems, such as above average levels of young people who are not in education, employment or training, high levels of basic skills problems and high levels of economic inactivity in the adult workforce. However, we have also developed long-term solutions, and we are putting them into practice to deal with these problems. These solutions include the foundation phase, which is about learning through structured play for three to seven-year-olds on a Scandinavian model, and that is quite a major departure from usual early years' education in the UK. Our 14 to 19 education Measure—a Measure being the National Assembly for Wales's equivalent to a UK Parliament Bill and Act—is about bringing together school sixth forms, colleges and others to develop harmonised timetables to offer better choice, to produce better systems of delivery and, in Rhodri Morgan's famous phrase, to deliver more bang for our buck, which is important at a time of tightening public finances.

We also have the Welsh baccalaureate, which has been very well received by employers and universities. That is about wrapping a wider educational experience around GCSE and A-level provision, which delivers additional qualifications. It involves community work and much more meaningful work experience. It delivers the types of abilities that employers keep telling us they are looking for—it is about being employment-ready, with aspects such as working as a team, problem-solving,

and having really good communication and basic skills. That is being rolled out, and it is very popular.

We have a basic skills pledge that we get employers to sign to be part of basic skills provision, and they then get grants to help to deliver those basic skills. We also have a workforce development programme, which is our general programme to help businesses to upskill their workforces.

That is some of the background, but in the middle of all that came the recession, and that has had a massive impact on everything. I will come on to the coalition Government in Wales with Plaid Cymru in more detail in a minute.

In terms of the impact of the recession on the economy in Wales, we initially seemed to contract more sharply than the UK in general did, but that position has changed. Over the middle part of this year, Wales overall was the second best-performing region in the UK. More recently, we have had less encouraging statistics on unemployment. So, it has moved around a bit as the recession has developed. Traditional manufacturing areas have been particularly badly hit in the UK. Wales is a traditional manufacturing area, so that obviously gives us particular problems.

The unemployment chart is still on an upward curve, and behind every statistic is a business in difficulty and an individual or a family experiencing hard times. As usual, some of our most deprived areas have experienced the highest rate of unemployment increase, where young people's job opportunities have been severely restricted.

On the position with young people, we are determined to do everything we can to prevent another lost generation from emerging from this recession. We know that in the 1980s, for example, youth unemployment and inactivity were a consequence of those economic difficulties, and a lot of research shows that many of the young people who could not get jobs when they were ready to take jobs are still inactive today, decades later. They are still inactive and have not done anything worthwhile in economic terms for themselves or their families since then. The social and economic consequences of that are obvious. We are determined for that pattern not to be repeated this time. However, we understand that it will be a huge challenge to prevent that from happening.

On our response, as I mentioned earlier, the Wales economic summit brought together business and social partners and the first summit was convened just over a year ago. That first summit presented a seven-point manifesto for action for the Welsh Assembly Government. We accepted that manifesto as the basis of our response. It was important and decisive action by our First Minister and Deputy First Minister, and it put the One Wales coalition Government at the forefront of political leadership in the minds of the key influencers in the Welsh economy.

The seven-point plan includes our best attempts, within the powers of a devolved administration, at fiscal stimulus, quantitative easing and banging heads

together—on a more basic level. For example, we brought forward capital spend with a particular emphasis on small works, particularly in the education and training sectors. We speeded up our payment of bills from within 30 days to within 10 days; we improved accessibility to public sector tenders and provided some rate relief. Through our Finance Wales organisation, we opened up new lines of credit and investment finance to Wales's small and medium-sized businesses. We have had many meetings with banks to understand how we can get business finance flowing again. Other important adjustments were made to our business support services.

However, without doubt, our best work, of which I am proud, has been on skills. That has attracted the most plaudits from far and wide. At the outset, we said that whatever we would or could do had to be underpinned by principles. We had to be customer-driven, recognising the uniqueness of each business and each individual. We had to exceed customer expectations. A stereotypical, slow and bureaucratic response was of little or no use to firms facing collapsing order books or to individuals losing their jobs. To go with that, we had to have a minimum of red tape. We wanted to use existing systems and processes, or adapt them, rather than spend lengthy periods designing something new. We wanted to ensure that running right through everything that we did was a quality approach. We believe that sticking to these principles has paid dividends. Independent evaluations are recording client satisfaction ratings in the mid-90-per-cent range.

Most attention has been attracted by a scheme that we call ProAct. Many excellent firms were facing short-time working or lay-offs, and were contemplating redundancies. They told us that they needed a bridge through to better times. They did not want to wait until they had to make people redundant; they wanted to pre-empt those redundancies and retain their skilled workforce for the opportunities that the upturn would bring. They made the obvious point that it is much better for employees to remain in work and be upskilled than to sit at home twiddling their thumbs.

Therefore, over a six-week period—over the Christmas period—from the initial concept to going live, we put ProAct into action. It provides a combination of training support and short-time working compensation. It is worth around £4,000 per worker and I am very pleased to say that it is state-aid compliant. Today, over 7,000 workers at all levels are receiving ProAct-sponsored training. That is equivalent to nearly a 1 per cent increase on the unemployment register had those workers not been retained in employment.

Independent evaluation has been very positive. It has clearly shown high levels of additionality and some real shifts in leadership and management within firms—shifts to high-performance working. There have also been unexpected spin-offs, such as low-paid, low-skilled workers becoming enthusiastic about education and developing new confidence, and undertaking all sorts of courses in local colleges and elsewhere. There is also a new enthusiasm among management for the training and the education of their workforce, having seen the real advantages.

We therefore feel that the benefits have exceeded our expectations. We have turned applications around in lightning speed—for Government—and decisions on eligibility have been made by a panel of relevant industry and trade union experts. We have provided hands-on advice to firms on how to plan the training and work up the training plans. We have also helped training providers to understand that they need to be more responsive and more flexible. We have seen local colleges going into factories, producing makeshift classrooms with crates, bringing in the IT equipment and taking the training forward. The ProAct scheme is open to applications until March 2010. We have set aside a total budget of £48 million, which could assist 12,000 workers.

Another thing that is important to our training effort is our mainstream workforce development plan. We have increased the intervention rate from 50 per cent to 70 per cent, so employers can get 70 per cent of the training cost paid. We have also doubled the number of workshops that we run on our leadership and management skills development course. There have been 4,500 participants in the first six months of this year. We hear frequently from industry that leadership and management is crucial and we have prioritised this in our response. We have also put more resources into working with the trade unions to tackle particularly hard to reach workers in the workplace. We have doubled our basic skills pledge training grants.

However, despite our best efforts, people will lose their jobs; they will be made redundant. Happily for them, we have a highly effective rapid response to redundancy scheme, which makes it much easier for them to know what help is available and how to access it. This marries together non-devolved employment services with our own training schemes. One good example is our ReAct programme, which provides potentially redundant workers—people under the threat of redundancy, who have had their notice—with up to £2,000 of training to get the skills that they need to ensure that the amount of time they spend unemployed is minimised. However, if they are unemployed for up to six months, a new employer can get a £2,000 wage subsidy over the first year and a further £2,000 towards training.

So far this year, over 8,000 people have benefited from ReAct. We work as closely as possible with our colleagues in the Department for Work and Pensions and Jobcentre Plus in Wales. We have doubled the employability training that is available to out-of-work adult and have supported the DWP's golden hello scheme. Now that the Future Jobs fund has been introduced, which has £1 billion behind it at a UK level—a lot of money, we work closely with DWP to ensure that the Future Jobs fund is successful in Wales and contains a good training element.

I said earlier that we are particularly concerned with young people. We have funded 2,500 more places at schools and colleges since the recession hit. We have introduced new ways to maintain and grow our apprenticeship programme. It is already successful and we have had around double the number of apprentices per head of population than is the general position in the UK. However, since the

recession, we provided some 3,000 extra places, and funding has been taken up by over 2,000 people in September alone—that is, just last month. Some of those places are college-based for the first year, but with employer buy-in, so that there will be a place with an employer following that first year of intensive training. Some of the other places are wage subsidised with employers. So, where they might normally have been thinking of taking on apprentices, but did not because of the recession, they will now do so.

In higher education, our GO Wales programme supports graduate placements. We have also ensured that our draft budget proposals for next year include additional moneys for skills measures for young people. We have boosted investment in post-16 education and training by around 10 per cent, and about 25,000 young people and adults are supported into work by these schemes, which are taking place this very day. Several thousand businesses have benefited.

With all this activity going on—this huge response to try to ensure that the Government does what it can and does not just sit back and let market forces rip, what are the lessons for us? We would make five points. The first is about inspiring trust. There has been all-party agreement on many key issues; the economic summits and programme delivery have developed new joint working between business, trade unions and Government. We have listened and we have acted. The process has been transparent, with reporting taking place around the summits. We have just had the eighth economic summit, and they have all been successful.

The second point is clarity of purpose; there have been realistic and shared expectations about what is possible and what can be achieved, with a strong focus on benefits, outcomes and customer needs and expectations. Thirdly, we have aligned systems. Simplification has been the name of the game, with integrated services and minimised red tape. Fourthly, it has very much been about unleashing talent and the importance of pace. The economic summits have brought the best of constructive thinking together from the business partners, political leaders and officials, and the pace of development to put those ideas into action has been very quick. Finally, it is about exceeding customer expectations. The positive response from business and individuals has resulted in new demand, giving us greater penetration, which can only be a good thing.

I will close by taking a quick look to the future. Work has commenced on a new economic development programme that will have skills development, research and development and the commercialisation of ideas at its core. Its success will depend on how we capture the spirit of the economic summits, and it may provide a structure to take that partnership between business, trade unions and Government forward into the future. We know what can be achieved by that partnership approach, and we are determined to stick with it. We want to foster this new spirit of partnership to grow and develop. We are clear in our own minds that it has brought real dividends that can, in the future, provide sustainable growth, increased jobs and quality of life. Thank you for listening.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you, John. Until recently, when I was Secretary of State for Wales, John, Ieuan, Rhodri and I worked closely together between the two Governments, and it is very interesting that many of the schemes to which John referred have also been taken up by other jurisdictions. The economic summits in particular have been very successful.

John is willing to take questions—I do insist on questions at this stage because we have an opportunity for debate when John has left. I call on Rory O’Hanlon, followed by Frank Feighan. We will take the questions in batches, John, if that is alright?

Dr Rory O’Hanlon TD: Thank you very much, Co-Chairman. First, I would like to thank Mr Griffiths for his presentation and to compliment him on his work in what is such a very difficult time in most countries.

I have two questions. You mentioned that you have opened new lines of credit to small business—could you elaborate on that? My second question is on ProAct and ReAct. Has any assessment been carried out to ensure that the jobs will be maintained when these subsidies cease?

The Co-Chairman (Rt Hon Paul Murphy MP): Frank’s question is next, followed by Geraldine Feeney’s question.

Mr Frank Feighan TD: Thank you. I just have a few questions on the ProAct programme. In Ireland, we have a problem in that a lot of accountants are telling industrialists that it is better to close up shop and to start up again in a few years’ time. What are the criteria for the ProAct programme—will those who start with jobs end with jobs—that you need to meet to qualify for it? Secondly, we have a difficulty in Ireland; we put in a guarantee to the six Irish banks. That did work initially, but we have a difficulty now in that we have some banks that under Dutch, Danish, or UK ownership, and they are taking a lot of the money out of the economy. I know of one Danish bank in my own town that has not loaned any money to any business or given any mortgage for a year. It is a difficult issue and I am wondering whether that can be addressed today.

The Co-Chairman (Rt Hon Paul Murphy MP): Next is Geraldine Feeney, followed by Jim O’Keeffe.

Senator Geraldine Feeney: Thank you, Co-Chairman, and thank you, Deputy Minister, for that excellent presentation. We currently have a situation in Ireland where there is a perception of inequality between the public service and the private sector. I would like your views on how that might be dealt with, because there is no doubt that it is definitely causing a huge and very dangerous division in society. On a lighter note, I am sure that poor Jim O’Keeffe and Dan Boyle were damn glad that the Deputy Minister was going home, because one more Kerry supporter would have been too much to handle.

The Co-Chairman (Rt Hon Paul Murphy MP): Next is Jim O’Keeffe, followed by John Carty.

Mr Jim O’Keeffe TD: It is good to see John back with us today in a different capacity. I have a point of information and a question. I have put the point of information in the form of a question. Is the Deputy Minister not aware of the great cloud of sadness that has spread across the whole of Ireland—all 41 counties—on the day that Kerry beat Cork in the all-Ireland senior football final? *[Laughter.]* My question is on a different level of seriousness, on the Welsh Assembly’s response to the recession. Does the Deputy Minister accept that the major difficulties that arose in south-west Ireland, and indeed in south Wales and along the southern coast of England, were as a result of the withdrawal of the Cork-Swansea ferry a few years ago? Does he agree that the prospect of the new ferry—this magnificent ship, the MV Julia, will be operational from 1 March 2010—is a great sign of hope for the future, particularly for the period that I have referred to on both sides of our islands? Would he confirm to the Assembly that this development has the full support of the National Assembly for Wales and of all the authorities here? Any members of the Assembly wishing to use it would be very welcome indeed on 1 March. Fastnet Line is the body that will be operating it. I declare an interest because I am a small shareholder. *[Laughter.]*

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you, Jim. I now call on John Carty to speak and then I will ask John Griffiths to answer the first batch of questions.

Senator John Carty: Thank you, Chair, and thank you, John, for your presentation. I have two questions to ask. Will old industries suffer in a climate of scarce resources? Secondly, one of the principal reasons for the recession, surely, was a lack of confidence in the system persistence. The danger is that Government will prolong this lack of confidence by allowing uncertainty, the possibility of increased taxes, cuts in public expenditure, and regulations that could hurt business and prevent them from continuing in our economies. I think that the regulations would cause the most grief. What should Government do to alleviate this?

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you, John. Would you like to try to answer some of those five questions, John?

Mr John Griffiths AM: I will respond to Rory’s questions first. Finance Wales is our gap financier. The new lines of credit that Finance Wales hopes to provide are about identifying what is available to business at present, particularly small and medium-sized enterprises, from the banks and other major lenders, and what is not available—that is the gap that needs to be filled by Finance Wales, which is an arm’s-length Welsh Assembly Government body. It is currently doing a lot of work around that, identifying where the gaps are and how they might be filled.

It has been difficult to get the banks in Wales to get the credit flowing as business and Government would like. One particular problem that we have

encountered is where the decisions are made. Often, there does not seem to be a good understanding and relationship between banks operating in Wales at the Wales level and local businesses. The decisions seem to be made away from Wales. Those making the decisions are not really as clued up about the prospects for the businesses that they are making the decisions about as the local management is. We have been trying to get a sense of how we can get back to what used to be the state of play some time ago, when there were good relationships between the decision makers within the banks and local businesses and a really good mutual understanding. However, I would not say that we have had any real success on that front as yet. When we bring the banks together with business, there is not as much meeting of minds as we would like. Basically, the banks tell us one story, that they are perfectly willing to lend and they would like more demand, while the businesses tell us a very different story, that credit is not available, that finance is not available, and if it is, it is on much more onerous terms than was the case before the recession. Therefore, I think that we still have to work on that aspect.

With ProAct, we are now turning our minds to how we can sustain the jobs and build on the progress that has been made in training and the retention of jobs with those firms. Obviously, it will be important not to let the success be a temporary one and just stave off job losses. The whole purpose of ProAct was for it to be a bridge across the recession to better times. We now have to consider how quickly those better times are coming along and how we can adapt the scheme if they are not coming as quickly as we would like. The criteria for the scheme require that the business has first to be essentially viable. It must be about a bridge over difficult times, rather than a business that has no future beyond those difficult times. Such businesses would normally have introduced short-time working; they may well have been contemplating redundancies, and they must come forward with a viable training plan that makes good use of the money in upskilling terms.

The public-private debate is interesting. We hear all the time that we have too big a public sector and too small a private sector in Wales. Rhodri Morgan, as our First Minister, always states that the public sector is not too big, but that the private sector is too small. We want to build the private sector up, but we very much want a strong public sector too. When it comes to people who have lost their jobs in the private sector thinking that the public sector is closeted from the effects of the recession, we have to say that we want to keep people in jobs, whether they work in the public or the private sector, and the people working in the public sector are delivering services for everyone, including people in the private sector, their children, their families and their communities. We have to look at it in a positive way for both sectors and not encourage the division that some people might see between the two. I think that their interests are very much the same.

Jim, I am happy to support, on behalf of the Welsh Assembly Government and local authorities in Wales, the Swansea-Cork ferry service. I am sorry that I was yet another extoller of the virtues of Kerry's football team. I have been to Cork many times and I have kissed the Blarney stone in Blarney castle—although, from the length of my speech earlier, some of you may think that I had swallowed it, but it

was important to tell you about all the important things that we are doing. I am very pleased to offer support to the Swansea-Cork ferry service. As you say, Jim, the benefits to both sides of the Irish sea will be very significant and it is very good to see that service coming back.

On cuts in public spending and regulation for business, we hear a lot about red tape in business and the drain that it has on time, energy and finance in business. To state the obvious, we must ensure that there is only regulation if it serves an important purpose. We do not want it to be there for its own sake. A lot of regulation serves an important purpose, but we must ensure that it is as light a touch as possible, and we must ensure that work with business around that. This has come up as an issue in our economic summits, and I am sure that it will also be an issue going forward.

Cuts to public spending are really worrying. There is a really important debate to be had here. We know that we are going to be in a time of constrained public spending for several years to come. We want to be sure—and we in the Welsh Assembly Government work very closely with the UK Government around this—that public spending is maintained while the recession is really biting and that public spending constraints do not come about until they are absolutely unavoidable. We want to maintain public services and ensure that the public sector response to the recession is very strong and that spending and jobs are maintained at this crucial and difficult time. To do otherwise would be an abdication of responsibility. There are people around who say that you cannot do anything about the market forces and that you just have to let it happen. We are very much not of that view. As I said earlier, the Government might be limited in what it can do, but it can do important things to shore up jobs and the economy at such a difficult time. We feel that we owe it to our communities to ensure that that happens and that it is sustained.

Ms Cecilia Keaveney TD: John, it is great to see you and to see so many of our former members going from strength to strength, from ministerial office to the office of speaker. We were commending people earlier on that.

I am interested in the longer-term situation. You were talking about learning through structured play and interventions when children are aged between three and six. I am a strong advocate of the arts helping children's creativity, and at primary level, we are into exploration and discovery; I just wonder whether Wales is a good example, or whether it is like everywhere else, in that there is good discovery and play at primary level, and then at secondary level you go back to teaching facts and regurgitating statistics, after which, if you make it as far as university, you are into the lecturing system, and you are given three or four books to read, and you go back to discovery. I did a report on teaching history in areas of recent conflict that looked at multiperspectivity—that is, we should take account of your version and my version, and we should learn through analysis, so as to develop our creativity or our critical thinking skills. That would make us more employable when we come out of secondary school. I suppose that I am plugging my report, but I am also asking whether we close creativity down in our secondary schools in the current system, or

whether Wales might be a good example of openness to analytical and multi-perspective learning.

Mr Brian Adam MSP: *[Inaudible]*.

Mr Johnny Brady TD: Some commentators say that, apart from sub-prime mortgages and the exorbitance of financial markets, the escalation in oil prices has played a part in the recession. What can be done to ensure that energy prices will not rise so high that they threaten our recovery? High energy prices are regarded as one of the main contributory factors to a lack of competitiveness, so again, is there anything that can be done to alleviate that?

Mr Seymour Crawford TD: I want to go back to the issue raised by Dr O'Hanlon, about a system of banking that would help small and medium-sized industry. John said that we currently have an arms'-length situation, but it is money being provided by Government to the small industry sector that is not going through its existing banks. How do we deal with security and so on? Secondly, you are clearly doing a lot to try to retain the workforce and community structures, and so on. Is there a problem with EU regulations on competitiveness—are you worried about breaching them?

Mr John Ellis TD: I have two questions for John, and I will count him a genius if he is able to give a definitive answer to both. A lot of people out there have a significant amount of money in deposit accounts that is not being spent. Can anything be done to encourage that money into circulation? Would that change things? I know that something was done in the UK, although I do not know how successful it was, with regard to encouraging consumer spending. Or would some sort of short-term incentive with regards to getting people to spend money be of any help to alleviate the present situation? The same problem applies across our islands. There are people out there with significant amounts of money, but it is being hoarded, and they are afraid to spend it. Is there anything that can be done to encourage them to spend it?

Secondly, I suppose that this is a pointed question, but would it have been better for all the islands' economies if everyone were in the euro, rather than having the divide between sterling and the euro.

The Co-Chairman (Rt Hon Paul Murphy MP): That is a big question to finish with. Before John answers, I would like to ask my Co-Chair, Niall, to say a few words.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Paul. I have just a few concluding remarks to add. First, I thank the Deputy Minister for addressing the assembly on an issue that is of great concern to us all at this critical time. While the effects of the recession are felt differently in many places and some may fare worse than others, the phenomenon of this particular crisis is wider and deeper than anything that we have experienced in our lifetimes. Consequently, we need to put in place special policies and instruments, such as those that John has outlined, which I

hope will shelter our economies from the recession's worse effects and place us in a position to be able to rise out of the debris when the storm subsides, so to speak.

As open economies that were developing exponentially, we were all caught up in the exuberance of growth and failed to see the failure of financial extravagance approaching. That has left turmoil in its wake, and we are still engaged in damage limitation. However, while the construction industry, in the Irish case, and the financial sectors have suffered dramatically, some sectors have withstood the onslaught, and we are consequently fortunate to have a number of positives on which to rebuild our economies. Again in the Irish case, those positives include a well-educated, young population, cutting-edge high-tech industries, state-of-the-art pharmaceutical industries and highly regarded professional service sectors. In addition, we have a highly skilled workforce and I am confident that we have not only the knowledge, but the determination to seek new paths so that our position runs in the light of innovation. Among these new ways for advancement, we look for new technologies, new energy sources and new environmental innovations, not only in relation to energy, but industry and transport. In the meantime, I suppose that we must all be proactive and do everything possible to slow down the growth in unemployment and to simultaneously provide an enabling environment for new employment. This cannot wait until growth reappears, even though one understands that to achieve full employment, we must return to sustained growth. Certainly, there is a lot of food for thought in what the Deputy Minister has said this morning and it should lead to a good debate.

Mr John Griffiths AM: Thank you again, Paul. First, Cecilia, the foundation phase is built on the Scandinavian model, so it is an established model and is proven in Scandinavia and elsewhere. It is very much about using the outdoors—we have forest schools and so on. It is not done in isolation; I think that it helps creativity, but there are other general developments in our education system that work with it. For example, there is a skills framework for three to 19-year-olds that seeks to ensure that, in many ways, children become their own educators. They learn the skills for development and lifelong learning that we hope will stand them in good stead throughout their lives. As you say, I think that it has been a problem sometimes to keep that element of creativity in education going through to secondary school. There is one encouraging development that we have seen and, obviously, the skills framework for three to 19-year-olds goes right through the age ranges. I do not think that in Wales, and this would apply very much in Ireland as well, we have really used our wonderful great outdoors as well as we might, but we now have the Môr a Mynydd programme—that is, sea and mountains—up in north Wales. That programme is very much about all ages getting out there into the natural environment and having a wider learning experience by getting out on the water, up in the mountains and thinking more broadly about what constitutes education than just being confined to a classroom. I think that that is a more imaginative approach that really factors creativity into the general education experience. However, there is quite a lot that we are doing around that—more than I can mention now. A lot of it is along those lines and I think that it is very encouraging.

Brian, on bringing forward capital expenditure, as you said, we are very much in the hands of the Chancellor of the Exchequer, and we wait with great interest to see what might develop. We were very grateful for the opportunity to bring forward our capital expenditure earlier, as I mentioned in my speech. In trying to ensure that that reaches the small and medium-sized enterprises, we have an organisation called Value Wales, which is at arm's length from the Welsh Assembly Government, and it tries to make sure that small and medium-sized enterprises in Wales get a good chunk of the business with regard to public procurement. There is a website called Sell2Wales, on which you can register if you have opportunities for businesses in Wales, or if you have a business in Wales that wants to know what opportunities are out there. It brings supply and demand together. It is part of our continuing drive to ensure that SMEs in Wales benefit from public procurement.

I am not sure that I can say an awful lot on energy prices. It is a big issue that is raised regularly. As a Welsh Assembly Government, we have important strategies around developing renewable energy; we have a green jobs programme and low carbon areas in Wales. However, in terms of any degree of influencing energy prices, what we can do is at the margins.

Seymour, on banking, as I said earlier, Finance Wales is an organisation that is at arm's length from Government, but it is firmly in the public sector and it provides money direct to business. There has to be a robust business case, and it is about supporting businesses that have potential and businesses that have a future. So, there would have to be a properly worked-up business plan that would be carefully considered by a panel before any approvals were given.

I am glad that you mentioned the European Union and its regulations regarding state aid and how that has affected the response to the recession. Contrary to many people's expectations, the approach from the European Commission has been helpful and flexible. It has moved the goalposts to allow schemes to go ahead within certain constraints and a proper ambit. However, in general, it has been very flexible, just as the Welsh Assembly Government has responded to the recession by trying to be flexible, to move quickly and by being responsive. The European Commission has been very impressive in doing likewise.

John, on individuals and their bank accounts, I am not sure that there is a lot that we can do to get them to spend more, other than what you said, which is to try to build some confidence that we are getting through this recession and that better times are around the corner. As you said, the VAT change did help the retail sector, and that was important, but what we really need is the return of confidence. People have been very wary of spending money because they have been worried about what is around the corner for them, their families and communities. So, we must bring confidence back.

On the euro, that is another macro economic policy lever that I hesitate to pronounce on too much. I have always been a strong supporter as an individual of UK entry into the euro. When I was in Ireland, the exchange rate shocked me

because my pound did not go very far—not half as far as it did a few years ago against the euro. It is an important factor, but decisions have to be taken at a UK macro-economic policy level.

The Co-Chairman (Rt Hon Paul Murphy MP): John, thank you very much. We now move to the debate. We have between now and 5 p.m. for that. Margaret Conlon will open this debate in a few seconds, and she will speak for around 10 minutes. Speakers will have up to four minutes in which to speak, and I will call Dai Lloyd at 4.50 p.m. to wind up the debate.

Ms Margaret Conlon TD: I welcome the opportunity to begin the debate on the recession. From what we have heard from the Deputy Minister for Skills, we all agree that this is a global phenomenon, and we are all affected by global events—the small and open economies like ours are probably hit harder. The vague memories of the recession in the 1980s to today's recession, we see that that was a different time. In the 1980s, as I remember it, no-one had any money, whereas more recently, there has been an expectation, over the last number of years, of quite a comfortable lifestyle when people had money. They expected to continue to have that kind of lifestyle and to have that level of income, and then, suddenly, things changed and they now find themselves in a different situation.

In the 1980s, we had immigration, so if people did not find work at home in their own country, they moved to other countries. Today, other countries are experiencing the same problems as us. Therefore, there are no jobs. People are returning home from abroad because they have lost their jobs there, and it is difficult for them.

Education and training is important, as was touched on by the Deputy Minister for Skills, and one way to get ourselves out of the recession is by investing in education and training. When people become unemployed—and it does not matter whether they are in England, Ireland, Scotland, Wales, the Isle of Man, Jersey, or wherever—they feel the same sense of desolation and a lack of self-confidence. It is a very dull, dark place for them when they cannot go out to work. It is important to upskill those people, so that they have the ability to access training and education, to develop and to acquire more qualifications. The last thing we want is to develop a culture of dependency, in which they become so dependent on hand-outs from the state that that is how they will be for evermore and they do not see that they have a future in employment. It is important that that culture is not allowed to develop.

As was mentioned by other speakers during questions and by the Deputy Minister for Skills, we need to look at competitiveness. Over a number of years, we have lost our competitive edge. We need to get it back and look at new ways of doing things, in relation to generating energy, innovation, or supporting businesses, so that, when the upturn comes—and it will come, because this is cyclical—we will be leaner, meaner and keener. That is hugely important.

In formally moving the motion, I conclude by saying that the recession has affected us all, and we all have our stories, some of them similar, and some of them different. None of us has a monopoly on the knowledge for the way forward. The most important thing is that the recession does not see or recognise any border; it touches us all. It is important that we discuss it at length, because we have much to learn and much to share. It is in that context that I formally move the motion and open the debate.

The Co-Chairman (Rt Hon Paul Murphy MP): Margaret, thank you very much indeed for that excellent introduction.

The Motion is, That the Assembly notes that the current recession affects all its member jurisdictions; and urges them to learn from one another and to work together identify its causes, to mitigate its effects, and to minimise the risk of a recurrence.

Jeff Ennis is next, followed by Mark Durkan.

Mr Jeff Ennis MP: Thank you, Co-Chair. Before I turn specifically to the issue for debate this afternoon, I first want to redress the rugby balance—or perhaps I should say ‘imbalance’—that we have had in this seminar today. We have heard mention of the Welsh and Irish rugby teams, but we forget that it was the English who invented the game. I remind delegates that England has already won the Rugby World Cup, under a Labour Government, and that we won the football World Cup under a Labour Government. I hope that my constituents will remember these facts when it comes to the general election next year. *[Interruption.]* Yes, Mark, I want to be around for the Olympics. *[Laughter.]*

Today’s debate is important to all jurisdictions. It is a glaring example of market failure on a massive, global scale that no-one has seen before. It has meant that all Governments of whatever political persuasion have had to intervene in a variety of ways to keep people in work and to keep the economies going. John Griffiths was right to say that the most deprived areas of all our jurisdictions have borne the brunt of the global recession. For example, my constituency in South Yorkshire is one of the most deprived in the UK, not just in England. Why do I say that? Before we brought in the national minimum wage, one in six workers in my constituency was on £2 an hour or less. That is the highest percentage of any constituency in the UK or, I would guess, in Ireland. There were security guards in my constituency who were getting paid 99p per hour, and they had to provide their own uniforms to go to work. I am glad to say that that situation has changed.

Governments have to look at a variety of intervention methods to sustain local and regional economies through this recession. The first example of good practice on which I want to shine a light is the role that regional development agencies have played in England, particularly Yorkshire Forward in my area, which has been extremely successful. How can I say that? I can give you one statistic. Direct foreign investment to Yorkshire and the Humber has gone up threefold in the past

12 months. It has increased three times. That is the biggest ever jump—and during a global recession—in investment into Yorkshire and the Humber. That is primarily because of the key strategic role that the regional development agency, Yorkshire Forward, has played on the global stage to get new companies to invest in Yorkshire and the Humber.

There is a classic example in my constituency, in my own village of Grimethorpe, where the world-famous Grimethorpe Colliery Band comes from, which was made famous in the film *Brassed Off*, if you have seen it. The American bedspring company, Leggett and Platt Inc., which is based in Missouri, has invested £22 million in establishing its European headquarters to manufacture bedsprings for the whole of Europe in Grimethorpe, and I recently went to the opening of that brand-new site. It is a classic example of what Yorkshire Forward is doing to attract foreign investors into Yorkshire and the Humber.

The second facet that I want to shine a light on as an integral part of a successful regeneration policy through the recession is the UK Government's Future Jobs fund, which will make a big difference in constituencies such as mine. I recently went to the launch of the first ever scheme under the national Future Jobs fund in Barnsley, which is also in my constituency. At that launch, there were 180 people who have been unemployed for more than 12 months. Some of them had never had a job before, and more than 120 of those were in the 18 to 24-year-old age range. They will be given employment for the next 12 months. They will be paid at least the national minimum wage and will do added-value work throughout Barnsley. That has been achieved only by the £10 million invested by Barnsley council, Barnsley health authority, the South Yorkshire fire service and the other partners that have contributed to the scheme.

The national Future Jobs fund is intended to provide jobs for a six-month period. In Barnsley, we have ensured that these people will be employed for a minimum of 12 months, and there will also be on-the-job training. John Griffiths referred to those who are not in employment, education or training, or NEETs, and the Future Jobs fund targets the people who fall into that category. I think that it will be an extremely successful policy. It will provide 640 jobs over the next three years in Barnsley to people, as I said, many of whom have never had a job before.

Barnsley has a history of worklessness that goes back generations to when the pits were all closed down. We lost 20,000 jobs in 18 months as a direct consequence of Heseltine's pit closure programme in 1990 through to 1993. That was the biggest ever percentage fall in the number of people in work for an authority of Barnsley's size anywhere in the United Kingdom. We have had to come through that and cope with that. We are determined, as John Griffiths said, to ensure that generations are not discarded and cast onto the scrap heap over the next few years. That is what we are doing and that is the sort of policy that Governments need to seriously consider to keep people in employment and to ensure that we get through this recession with the minimum of pain possible.

The Co-Chair (Rt Hon Paul Murphy MP): Thank you very much for that interesting contribution.

Mr Mark Durkan MP MLA: In the first British-Irish Council meeting that I can recall, the late Donald Dewar made the observation that he had always believed that plagiarism was an undervalued art form, and he believed that, in the context of the British-Irish Council, we could learn a lot from each other. The discussion that has taken place already this afternoon shows that. The Deputy Minister outlined a number of initiatives that have taken place in Wales, either directly under the Welsh Assembly Government or where the Welsh Assembly Government has used some UK funds and measures.

In Northern Ireland, we have had poor, karaoke versions of some of those things—they have not been particularly good or strong and there have been few direct, home-grown initiatives. However, the British-Irish Parliamentary Assembly is in a position to pick up on some of those things, and not just on the initiatives that have taken place at the hands of the different national or devolved Governments but, as Jeff has just reflected, on those of the regional development authorities in England as well. It is important to look at the interventions that work according to the discrete requirements and ambitions of local economies. In the context of dealing with the wider fall-out of this recession, we need to remember to tailor our interventions and measures according to different circumstances. Jeff Ennis has just referred to long-standing high levels of joblessness in a place such as Barnsley, and that is certainly also the case in parts of Northern Ireland. When it comes to welfare reform and future management measures, we need to recognise that the problem in some localities is an ingrained lack of work rather than an ingrained lack of a work ethic. We therefore need to ensure that measures and interventions are appropriate.

We also need to recognise that we will come out of recession and, while we are dealing with some new and, hopefully, temporary phenomena, some things will always be true. Investment in infrastructure will always pay off in the longer term, provided that that is the right strategic priority. Similarly, as we have already heard, not least from Margaret in moving the motion, investment in skills and maintaining and encouraging skill flexibility over a lifetime will also always pay off.

As we face the challenge of climate change and the need to do more by way of renewable energy, we need to recognise that there is huge growth potential there. In these islands, we should think of expanding renewable energy, and not just of import substitution but, in the longer term, of exporting renewable energy. Last year, a German Minister for the economy predicted that within five years—and that has reduced to only four years by now—more people in Germany would be employed in renewable energy and related technologies than in the motor industry. If Germany is saying that its future economic dependency lies in the renewable energy sphere, we need to be thinking that way here as well. Individual administrations need to be doing it, but we also need to be thinking in broader terms and thinking of the market. It is not good enough for us in Ireland to think only of

creating a single energy market on the island; increasingly, we need to be creating a single energy market on these islands, particularly if it is to be a market that exports, rather than just us trading with each other.

Finally, the fact that we could all benefit from looking at the issue of banking—perhaps by commissioning a study on it—has been touched on at a number of levels. As public representatives, we have probably all found ourselves complaining in the past year about banking and business, that is, what banks were not doing to support business and all sorts of things, but we need to start paying attention to the business of banking for the future. It is potentially going to change. In Northern Ireland up to now, we have all known whom we meant when we said ‘the banks’. There were four significant banks in Northern Ireland. We all knew who was in the band and they all played the same tune. That is not the situation any more. Two banks will be fundamentally conditioned and influenced by the requirements of the National Asset Management Agency, another by the British Government’s requirements through UK financial investments, and the other does its own thing and maintains absolute silence as far as public policy issues are concerned, because it is owned by Danske Bank. That same issue is repeated in a number of places. The border counties of the south are facing a different issue with banking performance and Scotland has its own very discrete banking market. We are talking about the British Government and the Irish Government intervening and the measures that they are taking with banks, but I do not think that, collectively, we are getting enough of a handle on the different regional sub-markets in banking and how they are operating.

We are all very concerned about the banks going back to giving big bonuses and all the rest of it, but another thing that we need to worry about banks going back to is the game that they were playing a few years ago, which we are all paying a high price for, namely speculating heavily on commodity indices, including fuel. People mentioned energy prices earlier, but we need to remember that it was the speculation by banks and other financial institutions, including hedge funds, that drove up the wholesale price of oil and gas, with a barrel of oil being traded some 12 or 13 times before it was consumed. Once the banks get back to some sort of health, they will climb back on that barstool unless someone stops them. Once one bank does it to improve its position, others will feel that they must follow. It is not enough for us to leave it to the UK Treasury or the Irish Government through NAMA to look at these banking issues. It is incumbent on us all to think in fuller and more three-dimensional terms about this. Rather than just being bashed on bonuses and all the rest of it, the banking sector may well benefit from the rest of us thinking about what we need from banking for the next generation and more.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you, Mark. I call on Brian Adam, followed by Mike German.

Mr Brian Adam MSP: [*Inaudible.*—certainly in the United Kingdom, changed significantly when Tony Blair and Gordon Brown oversaw the death of clause IV—some might even say the death of socialism—in the 1990s and then adopted the

free-market approach and light-touch regulation, particularly to banking. Some might say that Arthur Scargill would be rubbing his hands in glee that the direct consequence of that has been the nationalisation of the banks.

It takes considerable skill to kill off two political philosophies within a generation. We have got to the point where capitalism was very much on its last legs in the last year or two. Perhaps we have managed to save the world economies. There were claims that Mr Brown had saved the banking industry. I am not too sure whether anyone else believes that any more, but perhaps we should consider what, exactly, banks are for. Bankers might think that it is about them having bonuses, increasing their market capitalisation, and increasing their dividend payments made. However, banks are there to service the rest of us and our needs and interests. I am not sure that nationalising the banks, although perhaps necessary in the short term, is not necessarily the appropriate long-term solution to making sure that local economies, as well as national economies, can thrive and go forward. I would like us to seriously consider whether we have too much power concentrated in too few hands, and whether we have too few banks. Some of those banks chased—because of the light regulatory touch—the maximum opportunities to maximise their short-term gains, rather than providing a service to the rest of us, whether it is in terms of personal or business loans.

I suspect that the current arrangements are almost certainly anti-competitive, in that they are not doing anything about driving up real productivity in general and they are stifling innovation. The innovation that I would like to see is actually in things that will improve the quality of people's lives, rather than financial derivatives markets, which are the kinds of things that innovation brought from the banking industry. If we are to make sure that we have a successful Barnsley, Swansea, or Aberdeen, we cannot have all the power concentrated in very few hands and the decision making made far away from where it is happening. I think that we need a different model for banking, which will allow that to happen.

The recession will absolutely require Government intervention. Governments exist to intervene, but it has to be sensible intervention. It will not be successful if it just gets us past an immediate difficulty. There has to be some long-term thinking about the kind of economy that we want to have. We all have high hopes of renewable energy and the jobs that it will bring across the board, but we cannot ignore the coal-mining, steel-manufacturing, and ship-building areas, and we cannot just rely on European funds to try to put a sticking plaster on it. As long as we make central decisions and ones that the people are not making but the capitalists are making, I think that we are in grave danger of compounding the mistakes that have been made. I am all in favour of intervention but I would rather have it as local as possible, and I would like to have the models that will drive competition as local as possible and the opportunity to have innovation as local as possible. You can save by aggregating things up, but normally, that means that you end up with nationalised industries, like the rail industry, in which we ended up with the massive Beeching cuts, which I am sure that many of us regret now. That is because decisions were being made on a central basis, not through long-term thinking. It was short-term

thinking about how we would get out of a financial hole. I would hope that, as part of the political thinking around the recession, we should be trying to make it possible to make sensible decisions at as local a level as possible.

Mr Michael German AM: I will just address a couple of the target groups that are worst affected by this recession and ways that we might deal with them. In the middle of that sandwich, perhaps we could look at some of the ways in which Government can invest.

Recently, the Joseph Rowntree Foundation has, not surprisingly, shown figures that indicate that the people who are suffering the most are those in the biggest group that is signing on for unemployment benefit, namely 18 to 25-year-olds without jobs. That is not surprising, because while there are people who are seeking to protect, and fighting to keep, their jobs, it will be increasingly difficult for first-time entrants to get into the jobs market. So, that group of people will need particular help and assistance. That might mean providing opportunities to shadow jobs or to be part of the jobs market in some way or other. The Government needs to intervene very strongly, because we cannot afford to have—and people have already said this—a group of young people in our country who are so disenchanted with the way that—*[Inaudible.]*—they are going to cause more and more social unrest. I will return to that matter later when I talk about far-right, extremist parties.

Within that group of young people, we ought to be concentrating on 14 to 16-year-olds. Those young people are becoming disaffected. As they see it, there is nothing immediately in sight for them and they do not like going to school or taking part in education. However, there is hope for this group. Experiments have been going on up and down the country. I have been to two different schools where totally different approaches have been taken. Groups of young people have been taken out of school, put back into the community and trained in basic stuff—computing, mathematics and English. Last year, in a school of just over 1,000 pupils, 26 of a group of 46 disaffected young people, who were not going to school not taking part, managed to get at least three GCSEs at grade C and above. That is a tremendous starting point. However, they will now need another lift. Having achieved that start, they need to be moved on. If you have a continuing cycle of young people pushing at that door when there is no employment on the other side, you will have a totally disenchanted group of young people, and that cannot be good for our country. We know that that is not good for democracy, because young people vote the least—that is true of the whole of the western world—and the problem is increasing. The structures of our democracy are at the heart of this, and I would like us to touch on that.

Government needs to take a focused view on what it does next, but it also needs to be balanced. I was very interested to hear what Jeff said about the investment brought into Barnsley by Yorkshire Forward. It is very easy to rule it out and say, 'Everyone's in the same boat; therefore no-one is going to locate to your area'. Yes, it may be harder, and there may not be as many footloose companies in the world, but you forget this at your peril, because there will be opportunities—you

just need to be very focused on what those opportunities are. It will be much easier for us in the UK to export, because the pound is so low. We ought to be building, to be ready for the future. Government should be using all its international contacts to prepare for the export market. I was listening to a discussion on the German economy, which is now into its second quarter coming out of recession. The recession hit there far harder than it did the UK, but Germany is coming out of it and improving far more quickly. There is an opportunity for export, particularly with the green jobs agenda, which Mark was talking about earlier. So, we need to be balanced. We need to look at exporting as well as at importing foreign direct investment. We need to look at renewables, where we are very strong. Perhaps we could learn from the Irish experience and English-speaking countries that are looking to open and expand inside the European market. It is much more comfortable to do business in a country that speaks your language. Ireland and all the component parts of the UK have real opportunities here in terms of companies being brought together, and not just with regard to foreign direct investment, because we all know that, if you are the last part of the manufacturing process, then you will be the first out when it comes to tough decisions from the home company. What could bring money and know-how together; there are plenty of people who want to expand, and there is plenty of know-how around, and we could bring the money to the know-how, or vice-versa. That seems to me to be one of the things that we should focus on.

I have two final points, the first of which is on banking. Those of us brought up on cowboy films will know that people used to take their bags of gold, put them in a bank, and then the bank would lend them out to other people to do things with. It is a simple concept: you looked after people's money, and you charged them a little more than you took in when you lent it out. The basic concept is providing an opportunity for borrowing and investment. Our banking system needs to be divided between those who provide that opportunity and those who are involved in the risk-run, selling off risk and making ever-diminishing returns until, in the end, you are chasing your own tail. We need to concentrate on shifting that balance, ensuring that we have real banks doing what they used to do in the old days—a place where you could lend your money, get a reasonable return, and borrow money for business.

My final point, Co-Chair, is about the role of extremist parties. Those of us who have been concerned about this matter and have been engaged in combating it know that the people who are most likely to vote for the BNP, in the case of Britain, or other right-wing parties elsewhere, are those who are silent—those who I would call 'specifically skilled', in that they have had skilled jobs, but those skills have been lost because the job has gone, and the skills are not instantly transferable. These people are used to jobs that would last a lifetime, where the company would look after you from the moment you went in to the time you died. That is the group of people that is feeling challenged and let down at the moment, and it is turning to the National Front and the British National Party. I worry greatly that we need to deal with that group of people who were the backbone of manufacturing and development, because they are silent—we tend not to hear from them. They do not

complain much, except at the ballot box, in a way that is not appropriate. This group of people should not be excluded. They need specific help, and they are difficult to reach because they are usually older and specifically skilled, and they find retraining and reskilling difficult. We need to work hard to ensure that we bring those people back into training and reskill them.

Senator Alan Breckon: I would like to tell members about the Jersey experience, because we are not immune from these economic difficulties. We have set up an economic stimulus package of £44 million for 2009-10, which comes with the strapline that funding should be timely, targeted and temporary: timely in the sense that it is available now, or when people need it; targeted in that it goes where it is most effective; and temporary so that you do not set up a bureaucracy around it, but let people get on with it, in the main.

To give you the background, we have a workforce of about 50,000 full and part-time workers, and unemployment is just under 1,000. Michael has just touched on youth unemployment, and of that 1,000 unemployed in Jersey, about 450 are under 25, and of those, about 220 are between 16 and 18 years of age. This funding has gone to colleges to provide extra courses and support for youngsters who failed in the education system, helping them to develop skills and retake exams and get trained up in a number of areas, and some youngsters go on to do A-levels, even if they were not intending to do so. That is one phase of this.

The other thing that we are doing is to sponsor work placements to give support to employers to take young people in with an approved training plan and a signed agreement between an employer and the young person. The young people will turn up and support will be provided inside and outside the workplace.

Another thing that we have done is something that the Deputy Minister mentioned, namely we have brought forward capital projects, such as housing maintenance, double glazing, insulation—things related to energy-saving have been given priority. Some of the roadworks that badly needed doing have been brought forward, but there are criteria so that, wherever possible, as much of the money stays locally, which is similar to Wales.

Something else that we have brought forward is property maintenance, where work has fallen behind. The idea is to give some work to the local construction industry and the builders' merchants, and things related to that. There is also another strand, which is support for tourism and people who are trying to seek business outside the island in IT-related business, and so on.

So, in general, it is a packet of measures that are considered to be targeted and effective, but they will develop. There is flexibility in the system to change it, but it is also being monitored to make sure that it is effective and that we get value for money. Margaret touched on the fact that it is about individuals, and if people see this and they benefit from that, they will get the impression that we as politicians are working together in the community and that we can demonstrate that something is

being done. It is an old political cliché that something must be done, but sometimes the actions speak louder than the words. So, we must be able to do that, especially with regard to the young people, because the work ethic is important. Our colleague from Wales has demonstrated that they are doing very similar things here. By doing that, we will come out the other side, but we have to take young people and the community with us. I hope that you will appreciate, Co-Chair, that that is on a smaller scale to national Government, but it demonstrates that things can be done and can be effective.

The Co-Chairman (Rt Hon Paul Murphy MP): That was an interesting view from Jersey. The next speaker is Terry Leyden, followed by Charlie O'Connor.

Senator Terry Leyden: The contribution from Deputy Minister John Griffiths was interesting from the point of view of the benefits of devolved administrations. I do not think that a Government would have gone ahead as enthusiastically as the Labour Government in the devolved administration, which has now proved to be very successful in a very difficult period, because he outlined very well the issues and the policies that it has taken, which would not happen if it were under direct control from London. I do not think that the lovely new Parliament buildings in Scotland would have been built in the present climate, and it strikes me that there is an atmosphere in Ireland that you can remove one corner of a democratic state because of the present climate, for popular purposes only. If you want to propose to get rid of X, Y and Z, you can do it, because people are saying that they are hurt and angry about the whole system.

Political systems and democracies are unwelcome in the present economic climate. You can cut back, introduce reform and make changes, but it is important under the Lisbon treaty that we scrutinise all the legislation coming from Europe. In that regard, I agree with Alan Breckon in relation to the whole question of renewable energy. This is the direction in which we are going, and the recession has given us the benefit that we will face the future with alternative energies, instead of relying on oil as we currently do and have previously done, which caused problems in the 1970s and 1980s. It means that we will have a more sustainable future, because we are confronted with the biggest crisis since the 1920s. There are also people working at the moment on alternative energies, such as the economic extraction of hydrogen, which has exciting potential to reduce the need for oil.

So, during the great difficulties of the 1980s, cuts were made in the health services, and we were to pay dearly for that in the future by trying to get back the number of beds that were taken out of the system. They called it decommissioning at that time. That is what faced us. Maybe we should learn something from the 1980s and be careful about removing structures that are of benefit to the people.

We should also bear in mind that infrastructure projects, which would be easy to drop at this time, should be maintained and accelerated, because I can now see the benefit of the investment in Ireland in relation to the infrastructure projects, such as the roads from Galway to Dublin, from Cork to Dublin and from Belfast to

Dublin. They are of great help in this difficult time. It has certainly been a great investment and I would be optimistic for the future at this point in time. I believe that we can work our way out of this together. I also believe that this British-Irish Parliamentary Assembly is a good vehicle for putting forward views and ideas on different areas. We are all pretty similar in terms of the activities that we are undertaking. I was interested to hear the different solutions in each region, which is why John Griffiths's contribution, as the Deputy Minister for Skills, is important. In fact, the report that Margaret Conlon and I will be presenting tomorrow morning on the apprenticeship situation will be useful, as will Paul Flynn's announcement. That is worthwhile, and I hope that it will be adopted tomorrow at the conference.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you for that, Terry. Charlie O'Connor is next, followed by Alex Atwood.

Mr Charlie O'Connor TD: Thank you, Co-Chairman. First, I would like to say how pleased I am to be in Swansea. I think that, even though we might not admit it, all of us welcome the odd opportunity to leave our constituency, and I would certainly subscribe to that.

This has been a good discussion in the sense that listening to representatives of all eight parliaments reminds us that the recession is not confined to our own countries and parliaments because, if you sit in the Dáil—and I do not want to sound like a Government TD, even though I might—you would think that it was only our Government's fault. I know from watching Sky News fairly regularly that the same can be said of your party, Co-Chairman, and so on. So, it is good that we understand that everyone is having the same problems. This discussion, without making a party-political point about it, throws that up and that is an important point.

I was particularly interested in what Mark Durkan said and, if he does not mind me singling him out, I wish him well in his post-party leadership career, because Mark talks a lot of sense about green jobs. You will know that the minority party in Government in Dublin is pressing that particular agenda and the rest of us are taking credit for it. It is important that, as we go forward, and seek recovery—and I wanted to mention the word, 'recovery'—every chance I get to talk to my colleagues in Government and, particularly to Taoiseach Brian Cowen, I always make the point that whatever the pain inflicted in all of the jurisdictions that we represent, at the end of the day, people have to see recovery and help; people have to hope that investment will come and that jobs will be created. To some extent, we are all competing for that. Certainly, my colleagues across the border from my jurisdiction will tell you that, and we are all taking part in that same game. It is important to say that and to be as positive as possible about it.

I do not want to be parochial, except to say that you might know that Brian Hayes and I—we are from different parties, but we are colleagues—represent a constituency in Dublin that is the third largest population centre in the country. Most of you will not have heard of it, but it is a place called Tallaght. The unique thing about it is that it has a very young population. I remember being involved in a

community endeavour 25 years ago to set up an organisation called Get Tallaght Working. That was done on the basis of poor unemployment figures, no hope and the need for investment and job creation. That initiative took off in the community and is still important to us. My town has progressed over the years, and I will not outline all of the things achieved while my party has been in Government, but good things have happened, like they do in every other community, and that has been important.

However, where I live and represent and where Brian Hayes lives and represents, we have had an almost 90 per cent increase in unemployment in the last six months. So, we have suffered like everyone else and are focused like everyone else. The challenge for us is the same as for every other single member here today. Two things that struck me as I listened to the discussion, apart from my emphasis on the word 'recovery', which I believe is important, politically and otherwise. We all have to ask how we can co-operate and how we can persuade all of our Governments to take practical steps to continue to maintain existing employment and to help by ensuring that credit is made available. Again, Mark made the point about NAMA, and I am not going to explain it to you. I have a seven-year-old granddaughter who asked me recently, 'Grandad, what's NAMA?'. I gave her the standard answer, 'Ask your mother'. Mind you, I gave her the same answer when she asked me about Lisbon. *[Laughter.]*

I am glad that our colleagues across the border have been reading about it, but it is the biggest part of the current situation. Over the next two weeks, the Dáil Éireann will be dominated by discussions on the National Asset Management Agency, which either you want or you do not. If Brian Hayes were here, he would be heckling me now.

It is important that we continue to work through it. At a time when the public is so cynical about politicians in all of our jurisdictions, it is important that we try to continue to make a contribution to the debate. That is why I wanted to be a member of the British-Irish Parliament Association after my re-election two years ago. At a time when, as Peter Hain said this morning, we have, thankfully, moved on from the agenda that existed in Northern Ireland, even though there are still some challenges, it is important that this body finds other, important things to do and, in a positive way, the recession has given us that agenda, even though it is difficult for all our peoples. However, I hope that some good will come out of this debate and that we can all return to our parliaments with something positive to say about the manner in which we are co-operating as far as the recession is concerned. Maybe Peter Hain, if he were here, would take note of that in relation to the British-Irish Council, even though we are probably competing for the same business and looking across the Atlantic in the same way. It is important that we continue to co-operate. As I said, I have been buoyed up by this discussion—it is important and I hope that people will take the word that I used: 'recovery'.

Mr Alex Atwood MLA: I have three small points to make. The first is to ask what more could be done in respect of public procurement, given the billions and

billions of pounds and euros spent by our respective administrations. I am not quite sure what the arrangements might be in other jurisdictions, but in Northern Ireland, we have a requirement to try to place unemployed people as part of the contract for public projects. Even though we have guidelines and recommendations in that regard, there has been only one public procurement contract in Northern Ireland that has placed unemployed people as part of the contract, and that is the £8 million new footbridge in the city of Derry. Despite the millions and millions of pounds that have been spent on public procurement and what the guidelines say, there has only been one contract and only eight unemployed people have been employed as part of the contract to build that project. I think that Mark will confirm this, but the concrete for that particular footbridge is being manufactured here in Wales.

What more should we be doing on public procurement in each of our jurisdictions and between our jurisdictions to deal with the issue of unemployment? Some good work has been done on the issue of apprenticeships in public contracts, but much less work has been done and now needs to be done on the issue of the long-term unemployed.

On the second issue, I am not sure about how the situation might work here, but in Northern Ireland, 48 per cent of the budget is spent on health, while the Republic of Ireland spends 25 per cent of its budget on health. It may well be a bit more than that, because some health-related budgetary issues are not sourced at the health departments. As a consequence of that, some very good work has been done between the two jurisdictions to identify how, on the island of Ireland, there could be a greater level of shared services in health provision. My understanding is that there are 37 recommendations in order to bring about the sharing of services—and this is not a politically threatening point—because, on an island like Ireland, there is not the critical mass in terms of the numbers of potential patients to provide services in the north and the south. These are big ticket items, not small items, in terms of shared services on the border, shared services with regard to children's medical needs, and so on. That piece of work is currently going nowhere, and, in fact, I do not think that it will go anywhere for the next few years. In a situation where there is that level of spending on health in the north and the south, it seems to me self defeating that we are not taking the opportunities presented by that report and its recommendations. Are there similar things that could be done on an east to west basis and, though it may not be for me to say, within the island of Britain to maximise the operations of higher health services to save money and to improve services at a time when so much money is being spent in health?

Finally, I thought that the Welsh Minister's comments were very enlightening, very useful and very applicable to other jurisdictions, but what struck me more than anything was that, in six weeks, something has moved from being a concept to being delivered in terms of the work on the skills project. I hope that I am not making too much of a partial point, but we cannot get the budget in Northern Ireland revisited after two years, despite the fact that we have had a recession. The powers that be in the north refuse to revisit the budget that was drafted and approved by the Assembly in very difficult economic circumstances, yet, in Wales,

within six weeks, something can move from concept to practice and, if nothing else, that is one good example that we should all consider.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you. I now call Joyce Watson, followed by Alasdair Morgan. I remind members that at 4.50 p.m., I propose to call Dai Lloyd to wind up this first debate.

Mrs Joyce Watson AM: I will come at this issue from a completely different perspective, because I have been doing a lot of work on women's place in the recession. First, it is not surprising to find that women's place in the workplace is not necessarily a good place, and that, secondly, when a recession hits, it is very often their jobs that go. If we look at the current training that happens in the skills sector—particularly the skills sector that everyone has been talking about here today—we find that it does not affect a lot of women very often. If we also look at the employability of women during their lifetime, we will know all too well that taking what is called a 'career break' will prevent career progression. We realise that that career break is actually for bringing up children, and it is the case that society expects that to happen but punishes it for happening. We also see stereotypical training and employment.

Throughout the summer, when people go on holiday and do nothing, I have, like many others here, taken on some projects. One project that I have particularly focused my mind on in this time of recession has been to talk to women in their places of training to see what they wanted. They told me that they needed a forum in which they could get involved in different levels of training, gain different levels of skills, beyond hairdressing, beauty, cleaning and cooking, and perhaps be engaged in the construction industry. Therefore, on 4 November, I will be launching a women in construction interactive website where you will hear some of these comments from women, and I have challenged, where necessary, some of the training providers who do not currently provide any training for women because their culture does not allow it. At a time when we are talking about recession, we also need to focus our minds on the fact that, very often, women are in an eternal state of recession, and it is called the lifetime journey of their employment. If we keep them poor because of the choices that we give them as children through education, and as young adults through training colleges, we will make them poor as pensioners. There is no doubt about that. They are well used to recession, because that has been their lot for an awfully long time.

I will give an example of something positive that is happening in Carmarthenshire, which is not very far from Swansea. There is a scheme that actively encourages women to get engaged in the construction industry and helps them to become trained in an area. We have heard an awful lot of talk about small and medium-sized enterprises; the challenges of having apprenticeships within a small to medium-sized enterprise are considerable, because you are talking about people whose total business unit may comprise just one or two people. In Carmarthenshire—and it is not just applicable to women, but it helps women—there is a cohort of people who belong to an SME group and take on apprenticeships.

Some will teach plumbing, some will teach carpentry and others will teach painting on a rotational basis, so that they can sustain the apprenticeships, despite the regional group that is training being made up of very small units. This can be taken on and moved and developed further. It is a pioneering project in Wales, just as it is, I believe, in the United Kingdom.

I thought that I would bring a slightly different slant to this debate on the recession and remind us that there are some people who are always faced with recession, and the prospect of massive recession once they retire, due to the system that we operate, which does not allow them in the first place to make the right choice to ensure that they are not poor in their dotage.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you, Joyce, for—as you say—a different perspective on the debate. I now call on Alasdair Morgan, followed by Seymour Crawford.

Mr Alasdair Morgan MSP: I will just say a few words about regulation, of which I am not always instinctively in favour. We have been talking about all the very necessary things that we are doing, such as the recovery packages, the use of public procurement, and the role of development agencies such as Yorkshire Forward and so forth, but the forces that caused the recession, which would probably have happened in any case, made it much worse by causing the banking crisis, and they still have the potential to act against us and against all of our good works at any stage. We do not really know when that might happen, and that is worrying. I think that the banking crisis was largely caused by practices, and probably very few of us around this table really understand how it happened. I do not know much about derivatives trading or how you bundle debt, put the packages together and sell them on umpteen times to others so that it all ends up on a lovely balance sheet and looks terrific, so that people buy shares, and they think that it is a great institution to put their money into, and they buy more shares in a rights issue in what they think is the biggest, most successful firm on the planet, when it is just a castle build on sand. So, the need to regulate that kind of practice is clear. You cannot regulate it at the national level, as it is happening internationally, which makes it very difficult for any Government, even at EU level, to begin to tackle it. However, until we tackle it, given what has happened already, we do not have any certainty that this will not happen again and derail all the good work of many Governments.

There is a lot of talk about targeting bankers' bonuses—I always wonder what happened to the taxation system—but bonuses seem to be an easy target, and targeting them does not identify the underlying practices that are earning the large amounts of money for these companies that allow them to pay the bonuses in the first place. I was listening to a radio programme the other day that mentioned another practice that I was not aware of. Some people here may know of it; I believe it is called 'high-frequency trading'. You have powerful computers that analyse microscopic trends in the stock market, and they automatically buy hundreds of thousands of shares, which they then sell on about a microsecond later, having made a fraction of a penny or cent profit on each of the shares, but because of the volume

involved, a lot of money is made. That contributes nothing to the real wealth of anyone, apart from the people who build and programme the computers, and it strikes me that there is potential for the wrong kind of feedback loops to be put into the whole stock market system or for fictional values to be created. You look at the FTSE index going up 1,000 points and you think that the country must be doing great, but it is just down to a couple of computers in a back room that are totally out of control, because there is no human being making the decision to buy these shares; it is just a computer programme that some geek, who gave up a few minutes from trying to work his way into the NASA computer system, wrote in his spare time. So, I just want to say that I am very worried that the situation that exacerbated the recession that we are all facing is still there, and it could come back and kick us at any time.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you, Alasdair. I now call Seymour Crawford, followed by Dai Lloyd, who will close the debate.

Seymour Crawford: *[Inaudible.]*

Dr Dai Lloyd AC: Byddaf yn cloi'r ddadl bwysig hon yn y Gymraeg. Mae'r dirwasgiad a'r ffordd y mae'n effeithio ar bob un ohonom yn ein gwahanol wledydd o bwys mawr. Mae 12 person wedi siarad yn y ddadl hon, sydd yn adlewyrchu pwysigrwydd y ddadl.

Dr Dai Lloyd AM: I will close this important debate in Welsh. The recession and how it has affected every one of us in our various countries is of great importance. Twelve people have spoken in this debate, which reflects the importance of the debate.

Bu i anerchiad John Griffiths, y Dirprwy Weinidog dros Sgiliau yn Llywodraeth Cynulliad Cymru, bwysleisio'r gwaith da y mae Llywodraeth Cynulliad Cymru wedi'i wneud. Erbyn hyn, mae gennym y cyfnod sylfaen i'n plant ifancaf a bagloriaeth Cymru, sy'n rhoi profiad ehangach i fyfyrwyr na'r lefel A arferol. Wrth ymateb i'r dirwasgiad, yr ydym wedi datblygu'r cynllun ProAct, sydd wedi derbyn canmoliaeth yn y ddadl hon, ac yr ydym wedi pwysleisio pa mor effeithiol y mae ProAct a ReAct wedi bod yn y sefyllfa bresennol sydd yn peri pryder.

The address made by John Griffiths, the Welsh Assembly Government's Deputy Minister for Skills, emphasised the good work that the Welsh Assembly Government has done. We now have the foundation phase for our youngest children and the Welsh baccalaureate, which gives students a broader experience than the A-level. In response to the recession, we have developed the ProAct scheme, which has been praised in this debate, and we have emphasised how effective ProAct and ReAct have been in the present, worrying situation.

Bu i Margaret Conlon ddechrau'r ddadl gan osod cyd-destun byd-eang a hanesyddol y dirwasgiad. Yna, gwnaeth Jeff Ennis rywsut gysylltu llwyddiannau tîm rygbi cenedlaethol Lloegr a thîm pêl-

Margaret Conlon began the debate by setting the world-wide and historical context of the recession. Then, Jeff Ennis somehow conflated the successes of England's national football

droed cenedlaethol Lloegr gyda'r ffaith fod Llywodraeth Lafur mewn bodolaeth ar y pryd. Nid wyf yn deall y cysylltiad fy hunan. Yn ffodus iawn, mae Jeff fel arfer yn sôn am Barnsley a Grimethorpe bob tro yr ydych yn siarad ag ef. Llwyddodd i gynnwys y ddau yn y datganiad y prynhawn yma. Da iawn, Jeff. Cawsom ni hefyd ddarlun byw o'r sefyllfa economaidd yn hanes diweddar Barnsley, gydag esiamplau o lwyddiannau ac asiantaethau yn gweithio gyda'i gilydd ar lawr gwlad. Yna, cawsom gyfraniad aeddfed iawn gan Mark Durkan, oedd hefyd yn pwysleisio pwysigrwydd dysgu oddi wrth wledydd a Llywodraethau ein gilydd, a chafwyd hefyd nifer o sylwadau doeth ar fuddsoddi mewn isadeiledd, sgiliau, a ffynonellau ynni adnewyddadwy. Gwnaethpwyd yr un pwyntiau gan nifer o siaradwyr yn ogystal â Mark, a ddechreuodd y ddadl ar rôl y banciau yn hyn i gyd.

Athronyddodd Brian Adam wedyn gyda sylwadau craff ar rôl egwyddorion gwleidyddol ar y naill ochr a gweithredu ymarferol ar y llall. Aeth Brian hefyd ar ôl y banciau a'r pwysigrwydd o gael penderfyniadau synhwyrol lleol. Soniodd am doriadau Beeching yn ein rheilffyrdd ni—wn i ddim am hynny.

Clywsom lais o'r Cynulliad yng Nghaerdydd wedyn, wrth i Mike German olrhain problemau ein pobl ifanc ni yn cael swyddi yn y lle cyntaf, yn enwedig y bobl ifanc hynny heb gymwysterau, sef y rhai sydd bron byth wedi bod yn yr ysgol ac sydd heb unrhyw hyfforddiant o gwbl. Pwysleisiodd Mike bwysigrwydd benthyca gan y banciau i fusnesau bach yn enwedig, ac fe'n rhybuddiodd am y pleidiau eithafol, asgell dde sy'n ffynnu yn yr amseroedd economaidd anodd hyn.

team with the fact that a Labour Government was in office at the time. I do not see the connection myself. Fortunately enough, Jeff usually refers to Barnsley and Grimethorpe every time you speak to him, and he succeeded in mentioning both in this afternoon's statement. Well done, Jeff. We also had a vivid picture of the economic situation in Barnsley's recent history, with examples of successes and agencies working together on the ground. We then had Mark Durkan's very mature contribution, in which he, too, stressed the importance of learning from each other's countries and Governments, and we also heard a number of wise comments about infrastructure, skills and renewable energy sources. The same points were made by several contributors in addition to Mark, who started the debate about the role of the banks in all this.

After that, Brian Adam philosophised with some astute comments about the role of political principles on the one side and practical action on the other. Brian also went for the banks and the importance of sensible decisions made locally. He raised Beeching's cuts to our railways—I do not know about that.

Next, we heard a voice from the Assembly in Cardiff, as Mike German outlined the problems of our young people in securing employment in the first place, especially those who do not have qualifications who, having hardly attended school, have had no training at all. Mike also emphasised the importance of banks in lending to small businesses in particular, and he warned us about the extreme, rightwing parties that flourish in these difficult economic times.

Soniodd Alan Breckon am brofiad Jersey a'r cynlluniau lleol sy'n cefnogi cyflogwyr a'r sawl sy'n chwilio am waith yno. Wrth wrando arno, yr oedd y profiad yn swnio'n ddigon tebyg i'n profiad ni yma yng Nghymru. Fel y nododd Alan ei hun, mae rhai o'r atebion wedi bod yr un peth yn Jersey a Chymru.

Alan Breckon talked about Jersey's experience and the local schemes to support employers and those who are looking for work there. Listening to him, that experience sounded pretty close to our experience in Wales. As Alan himself noted, some of the solutions are the same for Jersey as they are for Wales.

Pwysleisiodd Terry Leyden rôl datganoli ac yn olrhain cyfraniad John Griffiths, y Dirprwy Weinidog dros Sgiliau. Pwysleisiodd Terry hefyd bwysigrwydd datblygu ffynonellau ynni adnewyddadwy a rôl y Cynulliad wrth ledaenu'r newyddion da am ein gwahanol brofiadau a gwahanol atebion i'r dirwasgiad presennol.

Terry Leyden emphasised the role of devolution, and he outlined the contribution made by John Griffiths, the Deputy Minister for Skills. Terry also emphasised the importance of developing renewable sources of energy and the role of the Assembly in spreading the good news of our various experiences of and solutions for the current recession.

Neges debyg oedd gan Charlie O'Connor, a bwysleisiodd mor anodd ydyw weithiau i gofio, yn ein gwahanol senedd-dai, nad yw'r dirwasgiad yn digwydd yn eich gwlad chi yn unig. Mae'r dirwasgiad yn mynd tu hwnt i ffiniau—mae'n fyd-eang. Ei neges ef oedd ei bod hi'n helpu i rannu problemau a phrofiadau. Yr oedd Charlie hefyd yn disgrifio prosiect sy'n creu gwaith lleol yn ei etholaeth yn Nulyn, ac yn pwysleisio rôl gwleidyddion wrth weithio gyda'i gilydd i helpu ein pobl ni i gyd drwy'r dirwasgiad hwn. Soniodd am bwysigrwydd gwleidyddion yn cydweithio o dan adain y Cynulliad a hefyd y BIPA.

Charlie O'Connor had a similar message, and he emphasised how it is sometimes difficult for each of us in our parliamentary bodies to bear in mind that the recession is not restricted to one's own country. The recession goes beyond boundaries—it is worldwide. His message was that it helps to share problems and experiences. Charlie also described a project that is creating employment locally in his constituency in Dublin, and he emphasised the role of politicians in working together to help all of our people through this recession. He mentioned the importance co-operation between politicians under the Assembly's, and BIPA's, wing.

Cawsom gyfraniad gwerthfawr gan Alex Atwood, o Gynulliad Gogledd Iwerddon, ynglŷn â chaffael cyhoeddus a phrofiad Gogledd Iwerddon wrth geisio rhoi pobl di-waith yn ganolog i gytundebau caffael a'r angen i wneud mwy i fynd i'r afael â diweithdra yn

We had a valuable contribution from Alex Atwood, from the Northern Ireland Assembly, about public procurement and the experiences of Northern Ireland in trying to make unemployed people central to procurement contracts and the need to

uniongyrchol. Soniodd am faint o arian y mae Gogledd Iwerddon yn ei wario ar y gwasanaeth iechyd, a'r angen i rannu gwasanaethau iechyd ar draws ffiniau. Fel y gwnaeth nifer, yr oedd yn canmol y cynllun ProAct yng Nghymru.

Bu i Joyce Watson o Gynulliad Cenedlaethol Cymru olrhain sefyllfa menywod yn y dirwasgiad, a'r angen penodol am hyfforddiant iddynt ennill sgiliau newydd—nid y sgiliau arferol hanesyddol, ond rhai newydd megis y rhai ar gyfer y diwydiant adeiladu, ac ati. Bu i Joyce hefyd olrhain y diwylliant ym myd gwaith, nid dim ond y diwylliant arferol gwrthweithiol sy'n mynd yn ôl genedlaethau, ond hefyd y diwylliant gwaith sy'n gweithredu yn erbyn buddiannau menywod. Mae hynny'n her i ni hefyd.

Soniodd Alasdair Morgan yn ffraeth am yr argyfwng ym myd y banciau, a realiti'r profiad—mae bonysau yn parhau i fodoli, mae prynu a gwerthu rhandaliadau yn parhau, ac mae'r angen am fwy o reoleiddio a'r pryder bod sefyllfa'r banciau yn parhau yn y bôn—nid yw'r sefyllfa wedi newid.

Yn olaf, bu Seymour Crawford yn ddoeth yn olrhain hanes y dirwasgiad yng Ngweriniaeth Iwerddon, ac yn cyplysu ei gyfraniad â phrofiad lleol a'r angen i greu swyddi, yn enwedig swyddi gwyrdd. Bu i Seymour hefyd feirniadu'r banciau, fel ag y gwnaeth nifer ohonom.

I gloi, mae profiadau eang a gwahanol yn ein gwahanol wledydd wedi cael eu datgan, ac eto maent yn rhyfeddol o debyg hefyd. Pwrpas y ddadl hon yw'r pwyslais ar ddysgu oddi wrth ein gwahanol brofiadau yn ein gwahanol wledydd, a'r pwyslais hefyd ar weithio

do more to tackle unemployment head on. He talked about the amount of money that Northern Ireland spends on the health service, and the need for health service provision to cross borders. As many others did, he praised the ProAct scheme in Wales.

Joyce Watson from the National Assembly for Wales traced out the situation of women during the recession, and the specific need for training for them to gain new skills—not the usual historic skills, but new ones such as those needed for the construction industry, and so on. Joyce also outlined the culture in the world of employment, not only the usual counteractive culture that spans generations, but the work culture that militates against the interests of women. That, too, is a challenge for us.

Alasdair Morgan spoke wittily about the banking crisis, and the reality of the experience—bonuses still exist, the buying and selling of shares still goes on, and the need for more regulation and the concern that the banks remain the same in essence—the situation has not changed.

Finally, Seymour Crawford wisely outlined the history of the recession in the Republic of Ireland, and he combined his contribution with local experience and the need to create jobs, especially green jobs. Seymour also criticised the banks, as did many of us.

In conclusion, the wide and different experiences in our different countries have been stated, and yet they are remarkably similar, too. The purpose of this debate is the emphasis on learning from our different experiences in our different countries, and also the

gyda'n gilydd lle bo hynny'n bosibl. I orffen, yr ydych 50 llath o'r traeth yn y fan hyn, felly nid wyf am sgwrsio am hwy nag sydd angen, achos y tu allan mae traethau arbennig Penrhyn Gŵyr. Mae gennych o leiaf ddwy awr i'w mwynhau cyn cerdded y 200 llath at yr amgueddfa lle bydd y cinio heno. Diolch ichi am bob cyfraniad i'r ddadl, mwynhewch eich noson, a diolch am ddod i Abertawe.

emphasis on working together wherever possible. To finish, you are 50 yards away from the beach here, so I will not speak for longer than necessary, because outside are the special beaches of the Gower. You have at least two hours to enjoy them before walking the 200 yards to the museum where tonight's dinner will be held. Thank you for every contribution to the debate, enjoy your evening, and thank you for coming to Swansea.

Rt Hon Paul Murphy MP: Thank you very much for an excellent winding-up, Dai.

Question put and agreed to

Resolved:

That the Body takes note that the current recession affects all its members' jurisdictions and urges them to learn from one another, and to work together to identify its causes, to mitigate its affects and to minimise the risk of a recurrence.

E-BORDERS

The Co-Chairman (Rt Hon Paul Murphy MP): I will now hand over to Niall, who will chair the short, but important, debate on e-borders, which we plan to finish by 5.30 pm.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Paul. I wish to inform the Assembly that the steering committee last night accepted a motion request from the Hon Stephen Rodan on e-borders in the common travel area. I call on Stephen to put the motion to the floor.

Hon Stephen Charles Rodan MHK: Thank you, Co-Chairman. I begin by thanking the steering committee for accepting the tabling of this motion in this fashion—from the floor—and for including it in the agenda for discussion. I want to make it clear that the issue of e-borders and the common travel area affects us all, and I do not simply speak from the perspective of the Crown dependencies; it is not a Crown dependency issue because it affects us all. I am sure that I speak for us all when I applaud the more than 80-year history of the common travel area, which has meant movement without physical immigration controls for all our citizens—all the nationals of the common travel area. That has been an important component of the special relationship that has existed for many years between the peoples of the common travel area, and it has brought long-established political and social benefits

to us all. I suggest, Co-Chairman, that we take care when we seek to change the common travel area arrangements in any way. If we are to seek change, I suggest that it is for sound reasons.

The motion on the agenda may be self-explanatory, but its background is in the attempt during the course of this year—in the name of strengthening border security by the UK Government in Westminster—to amend immigration law by use of the vehicle of the Borders, Citizenship and Immigration Bill. That is a wide-ranging piece of legislation, but a particular clause in it, inserted deliberately, would have provided an unequivocal legal justification and basis for controlling routes within the common travel area for immigration purposes. That would take effect via clause 48—later to be clause 50 of that Bill—to amend the Immigration Act 1971 by removing the Isle of Man, along with the other Crown dependencies and the Republic of Ireland, from the current exemption that we enjoy from control on journeys into the UK. That would have meant that passengers travelling into the UK from any part of the common travel area could, at least in theory, be required to provide evidence on arrival in the UK that they were British or a citizen of the European economic area and therefore not subject to immigration control and had a right to travel within the common travel area.

What came out in the debate on the Government's side, and it was certainly communicated to the Crown dependencies, was that the policy intention in practice was only to have initially fixed, but latterly more regular, controls on passengers travelling by air and sea between the UK and the Republic of Ireland. That was the prime intent of changing the law, to allow more regular checks to address a problem that I will come to in a moment. In the case of Northern Ireland and the Crown dependencies, the policy intent was only to conduct ad hoc, intelligence-based physical immigration checks on those coming in from that part of the common travel area. The change to legislation needed to give the vires to do even that was precisely the same as that required to have permanent or fixed controls with a third country—in this case, the Republic of Ireland. In other words, people from within the British area, such as the Crown dependencies and Northern Ireland, will potentially be subjected to the same checks as people from a foreign country. We were given assurances that that would not be abused in practice and that memoranda of understanding would be drawn up with the Crown dependencies to indicate the policy intent. Memoranda of understanding do not carry the same legal weight as a change in legislation, but they carry some political weight and reassurance for the future. However, there remains an overriding concern, even with memoranda of understanding.

One might well ask why the UK wished to go to all that trouble to strengthen border security and seemingly to introduce for the first time passenger controls within the common travel area. In parallel with or certainly connected to that is the objective of the Government in securing the UK border, which is better known as the e-Borders strategy. That aims to have a strengthened external border, using biometric data collection and handling as a means of addressing the worthy objectives of preventing drug smuggling, illegal immigration and terrorism. All are

worthy objectives, but, apparently, we need to disturb the long-standing common travel area arrangements in parallel with that. It seems strange to me and to others that we would seek to strengthen a common external border and govern our international ports of entry purely by regulating internal travel. After all, one is not required to produce documents when getting off the train at Edinburgh after a journey from London. Why should that be necessary in Belfast and in Crown dependencies?

The concerted opposition that this particular legislation was met with in the House of Lords and at Committee Stage in the House of Commons meant that clause 48, later clause 50, was dropped from the legislation. However, it is likely that it will be introduced in the coming session, and Westminster colleagues may have more up-to-date information on how likely that is. The objective of tabling the motion for this particular forum is to have a parliamentary Assembly that is quite unique in the British isles, given that all parts are represented, give the necessary degree of scrutiny to this proposed executive action by the UK Government. The text of the motion is clear: the matter should be referred to Committee A, the sovereignty committee, to examine the current arrangements and to see whether the UK Government intends to undertake full consultation with the people affected. Certainly, in the case of the Crown dependencies, such consultation as there was occurred very late in the day and was totally unsatisfactory.

I hope that Committee A will take evidence from the decision makers on this and also from the Northern Ireland Human Rights Commission, which was represented by its director this morning. The commission has produced an interesting report called 'Our Hidden Borders: The UK Border Agency's Powers of Detention'. The powers are primarily exercised through operation Gull in Belfast, in the airports and the ferry ports. That is unique in the United Kingdom in that it monitors those travelling within the United Kingdom. The human rights aspects of that exercise are, at the very least, questionable. Issues relating to the racial profiling of persons in transit or those arriving have given rise to concerns, certainly on the part of the commission. There are also issues relating to the use of legislative provisions more appropriate to criminal activity to enforce and justify immigration control. Therefore, it is worth looking at this lest it be the model envisaged for ad hoc, random, or intelligence-led immigration checks within the common travel area, particularly in relation to Northern Ireland and Crown dependencies. Co-Chairman, I hope that this will be seen as a topical and relevant subject for Committee A to consider, and I commend it to the Assembly. If it is carried, I look forward to hearing what Committee A has to report.

I am sorry that Jim O'Keeffe is not here, because he referred earlier to the most obvious solution to this particular problem, which is to exercise common external controls, instead of tampering with our internal arrangements. He highlighted the fact that there is not even a common visa for travel into the Republic of Ireland and the UK. Therefore, if we are to do something, rationalising and co-ordinating that aspect is the first step. The whole approach would be better undertaken by the simple alternative to common travel area reform of establishing a

common visa for the common travel area, so that there is a common legal entry requirement at all common travel area international ports of entry. I think that that is what Jim O’Keeffe was highlighting through his point about the visa arrangement. With that, Co-Chairman, I conclude.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Stephen. I feel that this debate will enhance the work of Committee A in this area. I have five speakers on the list. The first is Andrew Mackinlay, who will be followed by John Cope.

Mr Andrew Mackinlay MP: Our colleague from the Isle of Man, Stephen Rodan, has done us a service, because, as I said this morning, this is core business for this Assembly. It is urgently needed. One cannot overemphasise the crass stupidity of the United Kingdom Home Office in its handling of this matter, although I do not cast the same criticism at the Irish Republic. There is a frustrating inability on the part of those who are supposed to be running this to get to grips with it and to address the commonsense approach of doing what Stephen outlined, namely having good, robust external barriers outside the common travel area that are consistent and constant. With a bit of a chinwag, you could harmonise 95 per cent of these operations. There might be some variations, but that is so that you create a mini-Schengen around these islands. It would be good in the sense of fairness, it would be much more robust, and it would help us all. You currently have this carousel of people coming in to the Irish Republic who can then move into the United Kingdom or vice versa. They use land borders and other methods to do that. The answer is not to have internal passports. We all rubbished the old Soviet Union for its internal passports, did we not? Now, it is happening here. We really have to tackle this. In addition, the United Kingdom Government has to be less arrogant when it comes to our friends in the dependencies. There is abysmal ignorance about their competence. They have full powers and duties with regard to immigration and customs, and they should be brought into this. I know less about the Channel Islands, but one has only to look at the map that Almighty God gave us to see that the Isle of Man is right in the middle of our sea and, with the growth in recreation, shipping, and so on, it seems obvious that it should be brought into this with some dispatch, including the Channel Islands.

I think the problem is that Jim O’Keeffe, who is the chairman of Committee A, probably did not realise that this important debate was forthcoming. However, John Cope, Paul and I discussed this at lunchtime and decided that we will, on our own initiative, invite our colleagues from the Channel Islands and the Isle of Man to join us one Sunday, the night before we go to see the Home Office about this issue. In my view, we really should get stuck into this and get angry about it because of the pathetic response of the bureaucrats who are supposed to be overseeing this. I fully support Stephen and wish him well. I hope that the steering committee will also take it on board to give us more time to discuss this when we go to Cavan.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Andrew. I now call on John Cope, who is to be followed by Robert Walter.

Lord Cope: You just heard part of what I was going to say, which is that Committee A has already given some attention to this matter and proposes to invite Stephen Rodan and his colleagues from Jersey and Guernsey to talk to us quite soon. We are keen that the report, on which we have been working, on e-borders and how it all works be available in time for the plenary at Cavan in February if possible, for obvious reasons—I will leave you to judge. That will not necessarily be the end of the matter, because we can go on discussing it after the report at Cavan and thereafter, albeit in different circumstances, as it will be following the general election, and there may be changes as a result of that in the UK.

Stephen Rodan is right to say that the Borders, Citizenship and Immigration Bill, which we had before Parliament, originally contained a clause, as he described, that was defeated in the House of Commons, as a matter of fact. My party was instrumental, as were others, in defeating it at that time. That Bill has now become law; it was given Royal Assent in July without the clause to which he referred. However, the UK Government has made clear that it has not given up the idea, and it hopes to include it in future legislation following further discussions. My party was against it, and the reason that it gave is that the world is a lot smaller than it used to be. There are very many people in poverty-stricken areas of the world who go to very great trouble, expense, danger and difficulty to try to get into the UK. We read, from time to time, of those in France trying to get across the channel. I was reading about the latest developments in all that only a few days ago. However, in the early months of this year, more than 600 apparently illegal immigrants were picked up in Northern Ireland, and they had come in via the Republic and the land border. That is the sort of thing that gives reason for concern.

This will be in our report, I suppose, but we have been told by officials of the UK Border Agency that organised crime has spotted the weaknesses of the common travel area and of the route via the Republic of Ireland into the UK and now Chinese drug dealers and so on are using those. They have arrested quite a few who have been using these routes in the last few months. Those concerns have given rise to the Government's desire to tighten up the arrangements. Of course, very little of this is currently to do with the Crown dependencies, as far as I am aware. I do not think that many, if any, have been detected trying to come into the UK via the Crown dependencies. Obviously, particularly in the case of the Isle of Man, the available public airline route and the ferry routes and so on are almost entirely, if not entirely, within the CTA. You can fly or go by sea to Ireland or the UK but not to foreign countries direct, as it were. There are also many small boats and so on that come into the Isle of Man and may have come from all over the place. So, I do not think that even the Isle of Man is necessarily immune. Those who are in Guernsey and Jersey are much closer to the French situation, so their position is geographically different, from that point of view. So, the British Government has very real concerns. I do not think that it necessarily has the answer right—we opposed it when the earlier Bill was before Parliament. I certainly think that the common travel area makes no sense at all and is not a sensible arrangement, unless the outer border of the whole of the common travel area is uniform in terms of the regulations—the same visa requirements and so on—and border controls in the Republic of Ireland,

the UK and the dependencies are all equally effective. If there are electronic means, as well as intelligence means, that can assist in this, clearly, that is it, but if the common travel area is to mean anything, there must be controls on the outside border, and we should allow travel within the CTA to be as free as possible, as we have done in recent years.

Mr Robert Walter MP: This is an excellent motion and, as others have said, it is fundamental to what we do in this parliamentary assembly. We are the only democratic body representing all of the peoples of the common travel area and, therefore our view on this is a very legitimate one that the Governments should take notice of. It is also fundamental because it is about the common history and shared heritage of these islands.

There is always a danger that, in the current environment, anyone who questions security measures is not taking the threats seriously. I would sound a note of caution on that. We have firms of so-called security experts that charge Governments enormous sums of money in consultancy fees and feel that they have to suggest something in order to justify those fees. So, they come up with lots of wonderful ideas about controlling the movement of people. I believe that we should question any measure by which the state seeks to limit or impede the movement of its citizens, and I believe that that is absolutely legitimate as it is what we are elected to our parliaments and assemblies to do, and this is an example of that. There are several areas in this proposal, and I do not want to widen it too much but, as a yachtsman, I can say that, for sailors, some of the proposals to move towards having e-borders, verge on the nonsensical. If you are sailing, the wind direction sometimes changes, but yachtsmen are required to give 24 hours' notice of where they are going. They might intend to arrive on Jersey on Tuesday night, but they might just as easily arrive in Guernsey on Wednesday morning if the weather changes. Nevertheless, they will have committed a criminal offence in so doing, and I find that pretty nonsensical. However, I do not want to develop that theme in this particular debate, because the fundamentals of this are about trust between the various parts of these islands. I have raised in this Assembly before the situation when you arrive at Irish airports, and you are asked to go through passport control, even though you are within the common travel area. I usually object, and end up showing my driving licence, or something similar, because I am determined not to show my passport. That is different to the current regime in the UK, because arrivals from the Republic of Ireland or the Crown dependencies are regarded as domestic passengers, and treated as such.

The history of the common travel area goes back long before air travel. The path that we have taken in recent years with the peace process is about trust, and the question that we have to ask is whether the United Kingdom Government trusts the administrations in the Crown dependencies, Northern Ireland, and the Republic of Ireland. It has been suggested that we should update the common travel area by creating a common external frontier, with a common visa policy between the islands. Today, this body needs to send a message that these internal border

controls are unacceptable, and we recommend that our Governments look at a common visa policy.

Ms Cecilia Keaveney TD: I want to commend the motion. Far be it from me to let Charlie O'Connor talk about Tallagh without mentioning the car ferry. We have all talked about trust, but common sense also comes into this. We were paying around €150,000 a year for international security at the car ferry operating across the Foyle. That was supposed to check you going in to the north—I assume that was the point of it—but you were put in a cage coming out, and never checked. We let this continue for seven years until it almost crippled the car ferry. Finally—and I thank all those who were involved in dealing with this—it was accepted that the ferry was a domestic service. I do not want to upset anybody in saying that, but they withdrew the international dimension to Magilligan, which to me was common sense. I can drive across in 15 different ways from my house, and I will not be checked along any of those routes, yet we were paying for security for the ferry. It was a farce from start to finish, and I do not believe in farces—life is expensive enough.

Talking about airports, I would like to add a point about the enterprise train service. I have not used it for a little while because I am having a little sulk. It is internationally funded, yet its exchange rate is 69 cents, even though the exchange rate for those following it has been quite different for a considerable time. While I was using it, I saw in Dublin that there was a separate check-in for the enterprise compared to other train services on the rest of the island of Ireland. I am not sure if the enterprise has some special status, but its passengers went off down one corridor, and everyone else stayed in the main concourse. It might have been a development to do with some upgrading of the station, I am not sure, but I would like it flagged up, and I would like the question to be asked: was it just that, or were we being funnelled off to be checked for visas, passports and so on coming off the train? If that was the case, we would be back to as silly a situation as the car ferry across the Foyle, because I can get from Belfast to Dublin so easily—not by foot, maybe, though I know that some people tried it by bicycle recently—but I can definitely do it by bus and by car, and I can pick many roads where I will not face a visa or passport requirement of any sort. I am just flagging it up; I cannot say for sure why it is happening, but there is something unusual about people on one train heading down a particular corridor, and people on every other train going off into the main concourse.

The Co-Chairman (Mr Niall Blaney TD): We have four speakers left, and then we will conclude in five minutes. I ask you to bear that in mind.

Baroness Harris: I alluded to this point earlier, with Peter Hain. I very much support the proposal by Stephen, but it will come too late, because tomorrow, the House of Lords is discussing the proposal to put this clause back into legislation. I have put down an amendment that will try to take it out again. It comes right at the end of the Policing and Crime Bill, which will then go to the Commons, and then back and forth between the Houses, to be finished and concluded by the end of this

Parliament. It will be finished by November, I have to tell you. Unless I can make the change before November, before Parliament is prorogued, then this will go through almost by default. I have the support of the Conservatives, and some support in the Commons. It is disgraceful that it is being done like this.

Mr Andrew Mackinlay MP: Is it a Government amendment?

Baroness Harris: No, it is not. I am putting a Liberal Democrat amendment down to try to take it out, which is what we were trying to do before, and as John Cope said, the Conservatives were very much the prime movers in that. The briefing paper on the proposed reform to the common travel area by the Northern Ireland Human Rights Commission is excellent, and I urge all members to read it because it contains all the concerns on which I have based a long speech for tomorrow. I will not bore you with that now, but just to pick up a couple of things that John Cope said, he expressed the view that over 600 immigration offenders originating in Northern Ireland had been caught, and half of them were detained or deported, with 25 per cent being taken to Ireland, and the remainder admitted to Britain subject to further inquiries. This is Committee A's report, and it is exactly right—they were caught. There is no need for this new legislation, and that is what I will be trying to evidence tomorrow. I absolutely support what the committee is trying to do, but we must keep up this pressure, and I just fear that it might be too late.

Deputy Graham Guille: I would just like to compliment my colleague from the Isle of Man for an excellent presentation. In fact, he has left me with very little that I can usefully add. He spoke about how this legislation could affect the whole of the community, but I would like to offer the perspective of a very small jurisdiction. One of the problems with being a small jurisdiction is that you can quite easily drop off the radar, and we are often the victims of unintended consequences. I do not think that there was ever any intention to sweep us up in a general stop-and-search programme.

The word that stands out for me in Stephen's proposal is 'consultation', and it is the one that I would like to think about. We came very late to this process of consultation and it was almost a done deal before we fully realised all of the implications. It is for that reason that I support the request that Committee A look at this whole process of consultation and keep in mind the very little people at the bottom.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Graham. I now call on Mark Durkan, followed by Jim O'Keeffe.

Mr Mark Durkan MP MLA: Both Angela and John Cope referred to the fact that this proposal was dropped at an earlier stage in the House of Commons. As someone who was waiting there to oppose it along with others, like Andrew, I was called over by Phil Willis, the Minister, who said 'You do not have to hang around; we are not going with it. We are dropping it; we will be accepting the amendment and dropping it'. I said, 'Do you want me to tell others that?', and I was told, 'Yes;

you go tell the DUP that'. I realised then, before I went to the DUP, that I needed to go back to the Minister and say, 'Sorry; if you have just dropped it, you are obviously going to bring it in with something else, because you have tried this a number of times now', whereupon, in fairness, the Minister was honest enough to say, 'Yes; we will also try it on the next police Bill. We are just going to get a different vehicle for it'. So, there is obviously determination in this regard, but as Stephen has said, a convincing premise has still not been established for this whatsoever. The idea that it only makes a wee dent in what we know and understand of the common travel area and it will not make that much difference to my mind is like trying to pretend that a tyre is only flat at the bottom. To say, 'It does not make that much of a difference; do not get too bothered about it', is nonsense.

However, I would be a bit worried if, in adopting this motion, it became shorthanded to an indication that this body is advocating a common visa area as a way of upholding the common travel area. When we look at it, if the Home Office is determined to push this again and again despite all of the resistance, I am not sure what the concept of a common visa area would do. Would it be entirely the Home Office that is dictating the hows, the whys and the wherefores of that common visa area? For the Republic of Ireland in particular, and for some of the other jurisdictions, there could be implications in that as to whether people essentially want to forfeit their sovereignty in terms of visas and so forth, because, at times, it is right and proper that there are differences. From my experience, I remember, many years ago, when I was working for John Hume, six stowaways arrived on a boat that came into the port of Derry in 1985 from Eritrea, at the time of the Ethiopian famine. They were not all together; three of them were together, two were together, and there was one on his own. One of the ways in which we were able to get them admitted by the British Government at the time and allowed off that boat was because John Hume was simply able to say to the Home Office, 'I have BBC cameras down there. If you don't admit them, I will bring them down the Foyle and I have already arranged with Garret Fitzgerald that they will step off at Moville. You will be embarrassed'. We were therefore able to get them in on those terms. Sometimes, there is a benefit in the broader issues of having that independent visa control. I fully understand the argument that is being made about better ways around this than just completely demolishing the common travel area, but I would just be a wee bit worried that our position is falsely reduced to simply a common visa area because, in many ways, it might be that that is what the Home Office is looking for. That might be the ulterior agenda in these consistent proposals.

Mr Jim O'Keeffe TD: This debate very much informs the debate that is under way in Committee A at present. You will probably recall that we had an earlier report on development—*[Inaudible]*—and we decided in Donegal to update the situation, particularly in the light of the UK proposals. We have had a number of meetings already with UK Border Agency in London and the director of the Irish Naturalisation and Immigration Service in Dublin. Steve's motion is therefore appropriate at this stage in that we were not immediately looking at the situation in relation to the Crown dependencies—*[Interruption]*—I am sorry; my telephone is causing me a little bother.

We have been looking at a whole range of issues in this current investigation of the situation as to whether the common travel area is being abused by asylum seekers, terrorists or organised criminals. We are looking at those issues and whether the CTA puts the security of our affected jurisdictions at risk in any way. We are looking at, essentially, what can be done to enhance security while protecting freedom of movement. That is the balance that we are trying to strike. We are also looking at situations where you may have no fixed border control, but you may have intelligence-based control and we are looking at how that operates. Obviously, we are looking at the whole question of the documentation that passengers should expect to be asked to provide when coming from different jurisdictions. This could be a matter of legislation and it could also be a matter of practice. Ryanair, which is now the biggest airline in Europe, has established its own requirements, even within the island of Ireland. We are looking at the question of appropriate screening in relation to travellers arriving by ferry, and we are generally looking at the whole issue of how e-borders are working. We then come on to the issue of visas, which I touched on this morning and which Mark has mentioned here. Our investigation to date, with a view to asking the Home Office in the UK to provide a common visa control for all the islands, has unearthed, as I mentioned this morning, the fact that there are differences in approach between Dublin and London, which raises the question of the advisability of having some kind of a common approach. That is where we are at.

We discussed Steve's motion with Committee A today, and as I mentioned, the approach of Committee A today has been on practices in Ireland and mainland Britain. Of course, we need to take on board the views expressed in the motion put forward by Steve as we advance our inquiry. So, we are going to meet the UK Border Agency again in London next month. Our further discussions will be informed by the debate here, and we are also asking each of the three Crown dependencies to give us a written submission on their particular situation, and we will bring them in for discussions to one of our further meetings. So, by Cavan next February, I would hope that Committee A will be in a position to bring before you a full report for debate on all these issues. The one aspect that we cannot control, and would not want to in any way, is what happens to the legislation in the House of Commons and Westminster, as that is a matter for the UK Government. However, as I say, I would hope to have a full report for you from Committee A for full debate at our next plenary in Cavan.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Jim. And now, finally, the motion is that the British-Irish Parliamentary Assembly notes the British Government's policy on e-borders, further notes the commercial and cultural advantages of the common travel area to the different jurisdictions within it, is of the opinion that no legislative changes to the current arrangements should be made without a full consultation by the UK Government of all jurisdictions within the common travel area and refers the matter of e-borders policy of the UK and its impact on the common travel area to Committee A for it to inquire into this matter and to report to the Assembly. Is the motion agreed?

Question put and agreed to.

Resolved:

That the Body notes the British Government's policy on e-borders, further notes the commercial and cultural advantages of the common travel area to the different jurisdictions within it, is of the opinion that no legislative changes to the current arrangements should be made without a full consultation by the UK Government of all jurisdictions within the common travel area and refers the matter of e-borders policy of the UK and its impact on the common travel area to Committee A for it to inquire into this matter and to report to the Assembly.

The Co-Chairman (Mr Niall Blaney TD): Before we conclude, there are a few announcements. First, members should be aware that the coaches are leaving for dinner at the maritime museum at 7 p.m. and not as indicated earlier. Please be in the lobby for 6.55 p.m.. If you are walking, be sure to be there in time for dinner. There will be a drinks reception on arrival and dinner is at 8 p.m.. The maritime museum is a five-minute walk away—Members received a map with their plenary documents. Tomorrow's session will begin at 9 a.m. and not 9.30 a.m. as is noted on the agenda. Checkout from the hotel should be completed by 12 p.m., and I am told that luggage facilities are available. The session is now suspended until 9 a.m. tomorrow.

The sitting was suspended at 5.30 p.m.

TUESDAY 20 OCTOBER 2009

The Assembly met at 9.00 a.m.

PLENARY BUSINESS

The Co-Chairman (Rt Hon Paul Murphy MP): Order, order. There is some confusion about the timing. The current agenda says that we will meet at 9 a.m., but the previous one did not. We have a lot on, however, so I think it would be quite useful, for those of us who are here, to go through the formal business of this morning before we move to the debates. The first item of business is reports from the Committees. Three of the chairs are here, so I call on Jim O’Keeffe to give his report on the work of Committee A.

BUSINESS REPORTS FROM COMMITTEES

Mr Jim O’Keeffe TD: The two main issues dealt with by Committee A are cross-Border policing and the common travel area and e-borders.

On the issue of cross-Border policing, members will recall that, at the last plenary in Donegal, Committee A presented its report on cross-Border co-operation between the Garda Síochána and the PSNI. After the Donegal plenary the Committee’s report was circulated widely. There have been a number of responses, including a detailed response from the Minister of State, Paul Goggins, and from the Department of Justice in Dublin. Committee A intends to actively follow up with the relevant authorities on the implementation of the recommendations in our report on cross-Border policing. We plan to travel to Belfast and Dublin in January to meet with Minister Goggins and the new PSNI Chief Constable, Matt Baggott, and, in Dublin, with the Justice Minister, Dermot Ahern. Members will recall that in our report we made a number of key recommendations which we think will help to augment the excellent level of co-operation between the two forces. I would mention in particular the matter of a manual which could be used by both forces and would give specific guidance and procedures relating to arrest and gathering of evidence. This is of particular relevance in relation to crimes committed close to the Border. There is also very much the issue of the transfer of evidence between both forces. My colleague Lord Cope has taken a special interest in this issue, which is quite technical. However, it is also quite clear that the present situation is very cumbersome and not in the interests of either jurisdiction or of the police forces in either jurisdiction. Lord Cope has already tabled a Question in the Lords on it and I understand that that is to be pursued further in the Lords over the next week or so.

There is also the issue of secondment and lateral exchange between the forces, some aspects of which were not working very well. Another issue was touched on by Mark Durkan yesterday when he talked about the interoperability, or the lack thereof, of the communication systems of both forces. We intend to follow up on these and other recommendations with a view to trying to press their implementation. We genuinely believe that that would be in the interests of

everybody. We intend also to have a further full report for debate at the plenary in Donegal.

The second main area that we are covering is the common travel area and e-borders. I think that I will spare you the details on that because Steve Rodan's motion yesterday asked me to give you an outline of where we are at on that aspect of the work. Arising from yesterday's debate we will have further meetings next month with the UK Border Agency in London, and we will take on board the issues developed yesterday by Steve and his colleagues in relation to the Crown dependencies. We will include that, and the other issues, in a full report for the plenary session in Cavan next February.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you very much for that, Jim. I call Robert Walter to give a report of the work of Committee B.

Mr Robert Walter MP: Thank you very much indeed. Committee B met yesterday and went through the three items on our agenda. The first is a report—which dates a long way back—on European security and defence policy and the different attitudes on each side of the Irish Sea to the policy. We need just to finish that one off. It has been rather sensitive issue because of the referenda in Ireland, but now that the second referendum is behind us we can finish it off. We have one more meeting on the issue planned with Ministers in London.

We are also looking at the recession and the effect on EU migrant labour—that is, people who are EU citizens and have travelled to these islands. We are looking at the problems that they might be encountering with the benefit system or in returning to their home countries.

The third issue that we have been looking at concerns the EU initiative on regional economic spaces. There are initiatives in the Baltic region and the Danube region and the Committee will look at the possibility of creating such a regional economic space in these islands. We would be very interested to see what the British-Irish Council's response would be to that.

Most of the Committee was present at yesterday's meeting. We agreed a new initiative in our working practices because we are very conscious of the fact that we have not produced a report for a little while. We are planning to make individual Committee members responsible, either singly or jointly, for driving these reports forward so that we bring them to a conclusion. They would act, if you like, as rapporteurs to the committee. Mike German will be driving forward the report on the EU regional economic space. The report on the recession and EU migrant labour will be driven forward jointly by Charlie O'Connor and Baroness Harris, and the one on European security and defence policy will be driven forward by me.

Yesterday, when all the Committee was there, we also agreed the dates, which almost everyone can attend, for three meetings between now and the next plenary: one in Brussels, one in Stockholm and one in London, in January. So I think

that we have made some progress. We have certainly been able to put a little throttle on to our activities. I hope that we will have three reports to present to the Assembly by the time that we meet in February.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you very much, Robert. I call Margaret Conlon to give her report on Committee C.

Mrs Margaret Conlon TD: Thank you, Co-Chair. I am pleased to report that our Committee has concluded an inquiry into the promotion of apprenticeship qualifications in Ireland and Britain. We are presenting the report today and copies are available this morning.

We held three evidence sessions as part of the inquiry: in December we came to London; in February we were in Dublin; and in June we were in Edinburgh. While the Committee was in London we toured the Houses of Parliament craft workshops and we met apprentices and their managers. The focus of our discussion was the subject of apprenticeships and the process of pre-legislative scrutiny of the draft apprenticeships Bill. We heard from representatives and advisers to the House of Commons Innovation, Universities, Science and Skills Committee. In Dublin we were briefed on the Irish apprenticeship model by the president of DIT, by the director of apprenticeship training at FÁS—the National Training and Employment Authority—and by a representative of Ireland’s Further Education and Training Awards. In Edinburgh we looked at the Scottish apprenticeship model and we had representatives from the Association of Scotland’s Colleges, the Scottish Training Federation, the Scottish Electrical Charitable Training Trust, Skills Development Scotland, and Scottish Engineering. So, as you can see, we did gather a lot of evidence over the last number of months.

I should like to put on record our appreciation of the co-operation provided by all the witnesses during the inquiry to enable us to bring forward the report. There were some very good conclusions and recommendations. One of the most important is that apprenticeships have a long and proud tradition in the islands. However, it is important that they remain relevant to the needs of their respective industries today. That was one of the important conclusions that we came to. In order for that to happen we will have to meet the challenge in education and training. We need to have a flexible approach if apprenticeships are to be sustained into the future. Two of the most important conclusions that we came to, and recommendations that we would make, is that the promotion of apprenticeships and apprenticeship training as valid career choices needs to be more prevalent. It needs to be shown to students and their families that apprenticeships are serious career options. That is not always the case.

The last point is that there is still a gender imbalance in the allocation of apprenticeships. The one point we would make is that we would encourage all the Administrations to promote the advantages that apprenticeships offer to women as well as men.

That completes our report. I am delighted to present it at the plenary conference. We have now decided to conduct an inquiry into the support systems in place for small and medium enterprises, particularly for companies interested in green technologies. We will also as part of that inquiry be looking at innovation and the role of public procurement, because they are areas of particular interest to the inquiry. As you can imagine, it is a huge piece of work that we are undertaking to do. We do not expect—nor would we hope—to have it finished for the plenary in Cavan in February, but we will have a progress report at that stage.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you very much, Margaret. I call Alf Dubs to give the report of Committee D.

Lord Dubs: Thank you, Co-Chair. I will be talking shortly about the report that we have tabled today on climate change and renewables. However, before we get on to that, we agreed yesterday at our meeting that our next project would concern getting the unemployed back to work. We have three dates between now and Cavan so that we can, for obvious reasons, deliver a report by then—if it is not delivered by then, it will grow a bit cold before autumn. We spent some time considering where we should do this. We are going to go to north Wales—Chris Ruane was very persuasive in talking about north Wales—to Dublin, and to Belfast. We are going to meet everything from Government to governmental agencies on the ground, trade unions, employers and NGOs. We are going to look at the health implications as well. It is quite a tall order to get that done by Cavan but we are going to do our best, and the Committee was willing to fix three dates already in order to do that.

Looking beyond the British election, we have had an approach from the Federation of Irish Societies in London, which had looked at the report that we did two or three years ago on the Irish community in Britain and felt that it might be a good time to update that—to bring it up to date and give it another impetus. So we have that on the table as a possible project for later on.

Now, Co-Chair, do you want me to talk in detail about climate change or would you prefer that I come back to it later?

The Co-Chairman (Rt Hon Paul Murphy MP): It is a separate item on the agenda. Thank you, Alf.

APPRENTICESHIPS

The Co-Chairman (RT Hon Paul Murphy, MP): We come now to the second item on the agenda, the report that Margaret has already touched upon. Margaret, do you want to add anything?

Mrs Margaret Conlon TD: No, I just want to propose the report. I have already commented on it.

I beg to move that the Assembly takes note of the report of Committee C on Apprenticeships, and the conclusions and recommendations, which should be

forwarded to both Governments and devolved Administrations for their observations [Doc No 154].

The Co-Chairman (Rt Hon Paul Murphy MP): Does anyone wish to comment on the report? If not, I shall put the Question.

Question put and agreed to.

Resolved:

That the Assembly takes note of the report of Committee C on Apprenticeships, and the conclusions and recommendations, which should be forwarded to both Governments and devolved Administrations for their observations [Doc No 154].

CLIMATE CHANGE AND RENEWABLE ENERGY

The Co-Chairman (Mr Niall Blaney TD): We come to item 3. We will now proceed to discuss the report prepared by the Committee entitled Climate Change and Renewable Energy. I call Alf Dubs again.

Lord Dubs: I beg to move that the Assembly takes note of the report of Committee D on Climate Change and Renewable Energy, and the conclusions and recommendations, which should be forwarded to both Governments and devolved Administrations for their observations [Doc No 162].

The report has been readied—it is on the table there—and the Committee has worked very hard. It is an enormous subject and we would have liked longer to go into the details of it. Nevertheless we reserve the right to have another go at it; things are moving very quickly. I shall briefly summarise the main issues arising out of it. I should make it clear that we did not look at nuclear. We looked at renewables and co-operation between jurisdictions, and we looked at best practice that might be helpful from one jurisdiction to another, but we left out nuclear for obvious reasons—otherwise we would have gone down a cul-de-sac, I think.

First, we came to the conclusion that in order to have a balanced energy portfolio and in order to increase the contribution that renewables make to energy in each jurisdiction, it is very difficult for a jurisdiction to do it on its own. One key point about renewables is that—in the case of wind, for example—they are not entirely predictable. In a small jurisdiction it may well be that wind will stop entirely at times, but be plentiful at other times. Therefore, one key conclusion that we came to—we were influenced very much by the witnesses, of course—is that we need to have better interconnectors and a better grid system across jurisdictions. It is quite a big issue, but you can see that if there is not much wind in one area but plenty in another, then one can even out the flow of renewables by having good interconnectors. That will of course become more important as renewables play a larger part in each jurisdiction's energy portfolio.

We spent a lot of time considering the position regarding grids. We noted that there are plans now that the Northern Ireland, Scotland, Isle of Man and Irish Governments are working together on a feasibility study for an offshore grid to transmit electricity from renewable sources. I think that it is called the Isles Project or the Celtic Grid. We think that that is important. We also think it important that it will link up to Britain. Indeed—being a bit more ambitious—it is also the case that the Nordic countries might be the next stage in the development of a European super-grid. The advantage of all this is clearly to share energy, to even out the flows and to be able to make renewables play a larger part in the energy package for each country. That is the key point.

We notice that the British-Irish Council is looking at this issue again, and we should be looking closely to see what the environmental and energy sectoral groups of the British-Irish Council are doing. It is partly for that reason that the Committee may wish to go back to this topic in 18 months or a couple of years. We believe that the British-Irish Council has a crucial role to play in developing the grid and encouraging this whole process.

Clearly the technology of developing renewables is important, and encouragement by Governments and the public sector to develop renewables is an important feature. We need more innovation. It is rather disappointing that there was one project in the Isle of Wight, in Britain, that has stopped. Perhaps there are other reasons for that, but they have closed that one down just at the very time when every jurisdiction ought to be developing its output of renewable products.

We urge that each government department in each of our member countries should carry out an energy audit and set tough targets on reducing energy requirements. Clearly this is part of the mood of the day. However, I think that we have to be very tough with all our government departments to make sure that they push this forward. We believe that local authorities also have a part to play in all our member countries, and we accept that ecological and environmental considerations are of course a constraint. We do not want them to be too much of a constraint, and we realise that sometimes people do not want power lines on the surface. However, it is quite expensive to put power lines underground, so we have to have a balance between the two. We are aware of the difficulties, but we want local authorities to play an increasingly large part in this whole process.

There are many other issues that I could mention—but there it is as a report. We hope very much that we shall get a good response from all the Parliaments and Assemblies in our jurisdictions.

The Co-Chairman (Mr Niall Blaney TD): Thanks, Alf. I call Dai Lloyd, who would like to contribute.

Dr Dai Lloyd AC: Diolch. Fel aelod o blwyllgor D, dechreuaf drwy longyfarch a diolch i'r cadeirydd, Alf Dubs, ac i gyn-

Dr Dai Lloyd AM: Thank you. As a member of committee D, I begin by congratulating and thanking the chair, Alf

glerc y pwyllgor, Audrey Nelson, am eu gwaith caled ar y adroddiad. Fel y crybwyllodd Alf, mae'r adroddiad yn gynhwysfawr, a gallwn fynd ar ôl llawer o wahanol bethau.

Yn draddodiadol, mae pobl wedi cyfeirio at Abertawe fel dinas wlypaf Prydain. Fel rheol mae 82 modfedd o law yn disgyn ar y ddinas bob blwyddyn—gallwch gredu hynny heddiw. Ond, mae'r tywydd sydd gennym heddiw yn gryn newd i'r wythnosau braf diwethaf, ac mae llawer ohonom wedi bod yn ymgyrchu am gydnabyddiaeth i Abertawe fel dinas o dragwyddol heulwen.

Fel cefndir i'r adroddiad, mae'n bwysig nodi fod Cymru yn cynhyrchu mwy o ynni nag y mae'n ddefnyddio. Ond y broblem yw diffygion y grid cenedlaethol. Fel y crybwyllodd Alf Dubs, daeth hynny yn amlwg yn y dystiolaeth. Nid oes cysylltiad yn y grid rhwng de a gogledd Cymru; mae'r cysylltiadau yn mynd i Loegr. Mae'r cysylltiadau yn ehangu ar hyn o bryd, gan fod grid Iwerddon yn awr yn cysylltu â'r gogledd, a da gweld hynny.

O ran cynhyrchu ynni dros y rhan fwyaf o dirwdd Cymru lle nad oes grid, mae'n anodd cael cysylltiad rhwng prosiect ynni adnewyddadwy a'r grid. Mae hynny yn broblem fawr i brosiectau lleol. Un o brif elfennau'r adroddiad hwn yw'r angen i fuddsoddi yn y grid cenedlaethol ac i edrych i ehangu'r grid i gynnwys gwledydd eraill yn Ewrop. Clywsom gan un tyst am *supergrid* Ewropeaidd a fyddai'n cysylltu ynni geothermal Gwlad yr Iâ, ynni hydrodrydanol Norwy a Sweden, ynni gwynt yr Almaen, ynni'r haul o Sbaen ac ynni adnewyddadwy yr ynysoedd hyn mewn un un *supergrid* Ewropeaidd. Yr oedwn

Dubs, and the former clerk, Audrey Nelson, for their hard work on the report. As Alf mentioned, it is comprehensive, and I could talk about many different issues.

Traditionally, Swansea has been referred to as Britain's wettest city. About 82 inches of rain normally fall on the city every year—you can well believe that today. However, today's weather is a considerable change from the last few weeks of nice weather, and many of us have been campaigning for recognition for Swansea as a city of constant sunshine.

As background to this, it is important to note that Wales produces more energy than it uses. The problem, however, lies with the deficiencies of the national grid. As Alf Dubs mentioned, that became clear from the evidence. There is no grid connection between north and south Wales; all links go to England. The links are expanding at the moment, given that the Irish grid is now linking in to the north Wales grid, which is good to see.

In terms of generating energy across most of Wales where there is no grid, it is difficult to connect any renewable energy project with the grid. That is a huge problem for local projects. One of the main elements of this report is the need to invest in the national grid and to look to expand the grid to include other European countries. We heard from one witness about a European supergrid that would connect Iceland's geothermal energy of Iceland, Norway and Sweden's hydroelectric energy, Germany's wind energy, Spain's solar energy and our renewable energy in one European supergrid. I liked that idea, as

yn hoffi'r syniad hwnnw gan ei fod yn canolbwyntio ar yr angen i wahanol wledydd gydweithio—ar draws yr ynysoedd hyn ac ar draws Ewrop.

it focused on the need for co-operation between countries—across these islands and across Europe.

I gloi, llongyfarchiadau eto. Yr wyf yn falch o gefnogi cadeirydd ein pwyllgor wrth gyflwyno'r adroddiad hwn.

In conclusion, congratulations once again. I am pleased to be able to support our committee chair in presenting this report.

The Co-Chairman (Mr Niall Blaney TD): Thanks, Dai. I call Alasdair Morgan, followed by Dan Boyle.

Mr Alasdair Morgan MSP: Thank you, Chair. I was convenor of the Scottish Parliament's Enterprise Committee when it produced a report on renewable energy in 2000-01. We made precisely the same decision as Alf and his Committee when we started—that we would exclude nuclear power from consideration, because otherwise we would never have got a unanimous agreement. Like Alf, we also found out, once we got into it, that it was an enormous subject, and that every time we picked up a stone, another issue ran out that had to be investigated. He is quite right about grid provision and technology. Clearly, the bigger your catchment area, the less problematic are issues of wind; and grid technology is moving ahead every year to allow the load to be balanced.

Grid pricing is a significant problem and I am glad that the report mentions it. It is obvious, particularly as the scope for onshore wind diminishes—there is a limit to how many onshore wind farms are acceptable to the public—that the areas in which we will be able to develop renewable energy sources such as offshore wind, wave and tidal are increasingly at the periphery at the areas that we represent, and increasingly far away from the areas of consumption. It is important that the pricing system on the grid does not militate against these developments—which is precisely what it does now. You get a subsidy if you produce electricity in Devon, but you get a huge charge on it if you produce it in the Western Isles. That seems frankly barking, and designed not to produce the result that we want.

Technologies such as offshore wind—and particularly wave and tidal, which are not mature—are the hope of the future. Wave and tidal are not as intermittent as wind, and in some ways these islands missed the boat with onshore wind. The Danes and Germans were able to exploit the technology and get into the manufacturing side of it, so that much of the economic benefit to the country from onshore wind is going to firms based abroad. If we seize the opportunity, we have the capability, particularly with wave and tidal, not just to export energy, as one delegate mentioned yesterday in the debate on the recession, but to export technology and expertise. This is another good example of an area where the Committees of BIPA can focus their workstreams on the work of the British-Irish Council.

The Co-Chairman (Mr Niall Blaney TD): I call Dan Boyle, followed by Cecilia Keaveney.

Senator Dan Boyle: Thank you, Chair. As the Committee Chair has already said, while this is a valuable report, it has only scratched the surface of what needs to be done. This is an area that the Committee and the Assembly will have to return to in future.

I will add this to what has already been said. The Committee was impressed particularly by the visit to Scotland and by the work being done by the Scottish Executive by means of university research to build on the natural advantage of both Scotland and Ireland. Perhaps the lesson could be learned in all the jurisdictions by forwarding this report. I agree with Alasdair that the future of renewables lies very much in the nascent technologies of wind, wave and tidal power, which must develop the technology and capability to produce energy.

The central theme of the report is the need for an internal grid. One of the more surprising aspects was that none of the national grids, in infrastructural terms, could be described as being up to speed technologically. Investment is needed to make sure that the grids in each jurisdiction are fit for purpose. There is a need to combine the grids within the islands to make sure that we make use of renewable technologies. There is also a need in a European context, where renewables are more water-based, for example in Scandinavia, to use the technology so that we have a 24-hour grid system in northern Europe that will reduce our reliance on fossil fuels, and particularly on natural gas coming from Russia, because both we and Britain are very much at the end of the pipe.

There are key lessons in this report that are useful to build on, and I hope that the members can take them away from this Assembly and see how a common approach might be developed in future.

The Co-Chairman (Mr Niall Blaney TD): I call Cecilia Keaveney, followed by Sean Neeson.

Ms Cecilia Keaveney TD: It is a very important area to report on—there is no doubt about that. Coming from Donegal, I have to say not that you would notice a lot of hot air, but that we have a natural advantage in being surrounded by the hills and troughs that make an ideal wind turbine area. In a previous Committee, we visited the wind turbines outside Donegal town, and looked at the work that was going on in Derry involving wood-chip burning and that sort of activity. What is going on there is very good. It needs more co-ordination, and the national grid must be sorted out. That is another area where, on an island basis, it makes sense for us to have one grid rather than two, so that we can maximise the opportunities for energy production and storage and make sure that peak times and off-peak times can be dealt with equally efficiently. There has been some drive in the communities that we represent nationally to develop new projects that will help to build up reservoirs for storing energy. I would like to see those progressed in the Republic.

I note the reference to the Isles Project. A few of us in the room are not that far from the Foyle. A project was flung on top of us at one stage involving turbines in the Foyle. While I am very much into turbines, some places are better for them than others. This is not nimbyism. The last recommendation here is very important—about local authorities playing their part in encouraging energy production, but also looking at ecological and environmental considerations. Our difficulty in relation to the project that was mooted—rather more than mooted—for the Foyle was that our local authority had no right to contribute to any part of the process, and therefore we were disenfranchised from being able to contribute one way or the other. There must be a balance of rights here. However, I welcome the report and think that it is a very important area to be dealing with.

The Co-Chairman (Mr Niall Blaney TD): I call Sean Neeson, followed by Paul Flynn.

Mr Sean Neeson MLA: Thanks, Chair. The production of this report is very timely. As a member of the Northern Ireland Assembly concerned with enterprise, trade and investment, I realise that this is a major issue that we have been addressing for a considerable time.

Northern Ireland has a lack of indigenous fossil fuels. We have lignite, but thank God we have never used that to generate electricity. It is important in the British Isles that we set ourselves targets for the development of renewables. In Northern Ireland, we have set a target of producing 40% of our electricity from renewables by 2020. It is a very ambitious target, but it is worthwhile.

It is also interesting that, for Harland and Wolff in Belfast, it is no longer shipbuilding but the production of wind turbines that is the mainstay of their business. This shows that there are opportunities for companies throughout the British Isles to diversify.

I also bring to your attention the innovative tidal power scheme at Strangford Lough, which has been developed in conjunction with Queen's University. These are the sort of issues that we should be addressing. Bearing in mind what has already been said, we can no longer depend totally on the North Sea, and it would be wrong for us to become dependent on countries such as Russia for natural gas. So it is important, as I said earlier, to set targets for the development of renewables.

The Co-Chairman (Mr Niall Blaney TD): I call Paul Flynn.

Mr Paul Flynn AS: Diolch. Mae'n hyfryd cael y cyfle i longyfarch y bobl a ysgrifennodd yr adroddiad hwn. Yr ydym yn gwbl gefnogol o'r cyfle i gael rhagor o ynni adnewyddadwy. Os ydym am ddysgu gwersi am ynni, y cyfan y mae

Mr Paul Flynn MP: Thank you. It is great to be given the opportunity to congratulate those who wrote this report. We are fully supportive of the opportunity for more renewable energy. If we are to learn lessons about energy,

angen inni ei wneud yw edrych drwy ffenestr ein hystafell yn y gwesty. Yr oedd y llanw wedi mynd allan tua milltir a'r bore yma yr oedd i mewn ac yn erbyn y mur. Mae ynni enfawr yn y môr ac yr ydym yn ei weld bob bore yma. Dyma'r llanw mwyaf ond un yn y byd—yng Nghanada y mae'r mwyaf. Soniodd y siaradwr diwethaf am Sandford Lock. Yr oedd yr un peth yn wir am La Rance yn Llydaw lle y mae'r ynni sy'n cael ei gynhyrchu gyda'r gorau yn y byd am y swm lleiaf o arian—ynni sy'n lân ac sy'n parhau am byth. Yn y Deyrnas Unedig, yn anffodus yr ydym wedi canlyn y 'pied piper', sef ynni niwclear. Mae pobl wedi cael eu twyllo unwaith eto, er nad yw ynni niwclear wedi talu ei ffordd erioed o'r blaen. Nid oes gorsaf niwclear wedi cael ei hadeiladu ar y pris ac o fewn yr amser a addawyd i bobl. Mae'r un peth yn digwydd yn y Ffindir ar hyn o bryd. Mae'r unig orsaf ynni niwclear newydd yn y byd yn cael ei hadeiladu yno. Mae ddwy flynedd yn hwyr ac mae'r gost wedi dyblu, a bydd yr un peth yn digwydd yma. Yr addewid gan San Steffan oedd na fyddai unrhyw gymorthdaliadau'n cael eu rhoi i ynni niwclear y tro hwn. Yn awr mae cwmni EDF yn cyffesu y bydd yn rhaid cael cymorthdaliadau oherwydd yswiriant, gan na fydd yn barod i dalu am yswiriant os bydd damwain. Os bydd damwain yn digwydd, bydd honno'n ddamwain ddifrifol. Mae gennym gyfle da, yn enwedig yn ein hynysoedd ni, ar yr arfordir yma yng Nghymru, yn Iwerddon a'r Alban ac yn yr ynysoedd Normanaidd—gan fod rhyw wal enfawr o ddŵr yn symud rhwng ynys Alderney ac arfordir Ffrainc bob dydd. Dyna'r trywydd yr ydym am ei ddilyn—ynni sydd yn wir adnewyddadwy—yn hytrach na thrywydd ynni niwclear.

all that we need to do is look through the window of our hotel room. The tide had gone out about a mile, but this morning it was up against the wall. The sea carries great energy and we see it every morning. This is the second greatest tide in the world—the greatest is in Canada. The last speaker spoke about Sandford Lock. The same was true of La Rance in Brittany, where the energy generated is among the greatest in the world for the least amount of money—energy that is clean and everlasting. In the United Kingdom, we have, unfortunately, followed the pied piper of nuclear energy. People have, once again, been fooled, despite the fact that nuclear energy has never paid its way. No nuclear power station has been built on time and budget. The same thing is happening in Finland at the moment. The world's only new nuclear power station is being built there. It is two years behind schedule and the cost has doubled, and the same thing will happen here. The promise from Westminster was that no subsidies would be paid to nuclear energy this time around. However, EDF is now coming clean that subsidies will be required for insurance, as it will not be willing to pay for insurance against accidents. If there is an accident, it will be serious. We have a good opportunity, especially in these islands, along the coast here in Wales, Ireland and Scotland and the Norman isles—as a huge wall of water moves on a daily basis between Alderney and France. Rather than nuclear energy, that is the path that we should take—energy that is truly renewable.

The Co-Chairman (Mr Niall Blaney TD): Thanks, Paul. I call on Johnny Brady to wind up the debate.

Mr Johnny Brady TD: First, I thank Alf Dubs, the Chair of the Committee, for the report. I certainly agree with Dai about Audrey Nelson, who unfortunately is no longer with us and who played a major part in compiling the report. I also thank the members of the Committee who took time out from their busy schedules to attend meetings in Edinburgh, London and Dublin, and all the groups that we met.

I will say a few words about the report. A balanced energy portfolio is essential to ensure that our energy needs are not met just by one country or region. To be as self-reliant a region as possible, we need to make the most of the renewable energy available locally. A collective and regional approach is essential, as each jurisdiction cannot solve the problem on its own. The Committee was pleased to learn that, in Northern Ireland, Scotland, the Isle of Man and Ireland, Governments are working together on a feasibility study for an offshore electricity grid to transmit electricity from renewable energy sources. The Celtic Grid is known as the Isles Project and we welcome the initiative.

The Committee urges the Department of Energy and Climate Change and Ofgem to review grid access charges to ensure that no disincentives are applied. I, too, thank Alf Dubs. The conclusions and recommendations of the report will be forwarded to both Governments and devolved Administrations for their consideration. Thank you very much.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Johnny.

Question put and agreed to.

Resolved:

That the Assembly takes note of the report of Committee D on Climate Change and Renewable Energy, and the conclusions and recommendations, which should be forwarded to both Governments and devolved Administrations for their observations [Doc No 162].

RESPONSES TO PREVIOUS COMMITTEE REPORTS

The Co-Chairman (Rt Hon Paul Murphy MP): We now come to item 4, Responses to Previous Committee Reports. The first one is the response of the Northern Ireland Executive to Committee A's report on Barriers to Trade. Does anybody wish to comment? If not, I shall put the Question.

Question put and agreed to.

Resolved:

That the Assembly takes note of the response of the Northern Ireland Executive to the Report of Committee A on Barriers to Trade [Doc No 155].

Next is the report of Committee A on Cross-Border Co-operation between Police Forces. There are four responses to the report and I suggest that they be taken together. Does anybody wish to comment?

Dr Rory O’Hanlon TD: Thank you, Chairman. I will say only that the responses are only acknowledgements. We feel that there should be movement to implement some of the recommendations—for example, on the length of time that it takes, and the bureaucracy involved, when an exhibit is transferred from North to South or vice versa for a criminal case. It has to go to the Chief Constable, to the Northern Ireland Home Office, to London, to Dublin and back again along the same route, and can take six months. We are anxious that the Governments should look at what legislation is necessary to ensure that the excellent co-operation that already exists between the Police Service of Northern Ireland and the Gardai is enhanced. What is holding this up is the fact that the two Governments are not implementing the necessary laws to ensure that they can co-operate further.

Another issue is secondment. There is provision already in legislation for secondment, and police should be seconded. In an area such as South Armagh, there has been a tremendous improvement in policing since the PSNI was established. However, there is still no normality and it would enhance the situation considerably if a senior member of the Gardai—a chief superintendent or an inspector—was seconded to Crossmaglen or South Armagh.

My final point is that devolution should not be delayed, because it, too, will improve the opportunities for increased co-operation between the two security forces, the Gardai and PSNI, and that will be in the interest of all the people on the island.

Ms Cecilia Keaveney TD: I note that the seventh cross-Border seminar on organised crime happened yesterday between the NIO and the Department of Justice in Dundalk. This continues a point that we made yesterday. Crime knows no borders, and therefore it is important to maximise the different prevention activities. There are some PSNI officers in Donegal, my own area, and likewise the other way round. I have talked to both sides, and they find that there is a steep learning curve when it comes to exchanging best practice.

I note also that while the PSNI beat the Gardai when they played the Gaelic matches two years ago in London, the Gardai beat the PSNI very sportingly on the GAA fields of South Belfast, which was a great first that showed a social element to the co-operation. We all know that a cup of coffee is as important as any contribution made over a table. The fact that the co-operation is at a social as well as a professional level will only add to the quality of service that all the peoples get when it comes to crime prevention and detection.

Mr Andrew Mackinlay MP: I support what Rory said about warrants going between the jurisdictions of the Republic of Ireland and Northern Ireland. The fact is

that they do go via London, and there is some ambiguity over whether this will change with devolved justice administration in Northern Ireland. It appears that it will not change. However, this should be pursued with vigour by our Assembly. I suggest that you and your Co-Chair pursue it, so that we get a reply from Cavan.

If devolved justice goes to Northern Ireland, it could happen swiftly. My understanding is that new primary legislation would be needed to give effect to it, and that there is still tidying to be done. Perhaps this could be picked up in our jurisdictions, which will have to pass the primary legislation. Perhaps this body could use its energies to press for clarification on what is going to happen; and if the bumbledom is going to continue, we could try to remedy that and address it at the time of legislation. What is happening is that the most heinous crimes are pursued with vigour, but serious crimes are being delayed while evidence goes cold, personalities get promoted or retire, and people get away with things because of inertia. That is wrong, and the answer is to bang heads together in Dublin, London and, to some extent, Belfast—but mainly in Dublin and London.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you, Andrew. Seymour?

Mr Seymour Crawford TD: Thank you, Co-Chair. I, too, support what Dr O’Hanlon said earlier. While the Gardai and PSNI have excellent relationships on a personal basis, structures and red tape make it difficult for them to act as quickly as they might. I hope that Committee A, under Jim, will continue to work on this issue.

Rory mentioned South Armagh. I know it quite well, but am more au fait with the Fermanagh-Cavan-Monaghan border. It is a difficult area to police. The main road goes in and out of Monaghan five times between Clones and Cavan. That area is extremely worrying at present. Any improvement in relationships, and in how the structures work, will be extremely important there. A devolved police force would be in everybody’s best interests, and there would be easier contact between the relevant Ministers and organisations if that happened.

I thank Committee A for its tremendous work and hope that it continues with the new Administration in Northern Ireland when it comes.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you, Seymour. I call Jim O’Keeffe.

Mr Jim O’Keeffe TD: Thanks, Co-Chair. This has been a useful, brief discussion to follow up our last report. There were 12 recommendations in the report. All of them were carefully balanced and weighed, and we think that each one would be of benefit in all our jurisdictions.

We have had helpful responses from the different Administrations. However, the real issue is to get the recommendations put into effect. What I have found useful in this brief discussion is the suggestion that some members may, in their Parliaments, press the issues by way of parliamentary questions or otherwise. That

would be helpful. As I mentioned earlier, we in Committee A will pursue the overall issue. We will have further meetings, in Dublin and Belfast in particular, and I hope that we will have a good report for you for full discussion at the plenary at Cavan.

The Co-Chairman (Rt Hon Paul Murphy MP): Jim, thank you very much. I think everybody would agree that co-operation has improved dramatically over the years. However, Committee A's recommendations pointed to a number of areas where improvement could be made. We must take note of what Rory and Andrew said about a possible loophole even when devolution of justice and policing is effected. Cavan is an appropriate place to discuss cross-Border co-operation. We hope that there will be devolution of justice and policing by then; but even if there is not, Jim's recommendations that we consider this again in February are very important.

Do you agree with all the recommendations with regard to the report on cross-Border policing? We have four responses. Do you agree that we take note of those and revisit this in Cavan?

Questions put and agreed to.

Resolved:

That the Assembly takes note of the response of the Northern Ireland Executive to the Report of Committee A on Cross-Border Co-Operation between Police Forces [Doc No 156].

That the Assembly takes note of the response of the UK Government to the Report of Committee A on Cross-Border Co-Operation between Police Forces [Doc No 157].

That the Assembly takes note of the response of the Welsh Assembly Government to the Report of Committee A on Cross-Border Co-operation between Police Forces [Doc No 158].

That the Assembly takes note of the response of the Isle of Man Government to the Report of Committee A on Cross-Border Co-Operation between Police Forces [Doc No 159].

THE CONSULTATIVE GROUP ON THE PAST

The Co-Chairman (Mr Niall Blaney TD): Thanks again, Paul. You will recall that in Donegal we agreed to set up, under new arrangements in the Assembly, the ad hoc committee that would examine the Eames-Bradley Report and suggest how the Assembly might assist in moving it forward. The ad hoc committee has reported to the steering committee, which has agreed the conclusions. You will have received a copy of this report yesterday. The conclusions are that the report, which does not pretend to be a cure for all the outstanding issues in Northern Ireland, represents a genuine attempt to find some solutions that would help the peace process. The

steering committee believes that the recommendations, suitably adapted to incorporate certain areas that were outlined, will assist in the development of the agreement, if the main stakeholders can be found. If we have agreement from the Assembly, we would like to forward the report to the Governments—the Northern Ireland Executive as well as the devolved Administrations. Are there any offers to speak? I call Cecilia Keaveney, followed by Barry McElduff.

Ms Cecilia Keaveney TD: I will say, briefly, that the Eames-Bradley Report is extremely important. There were elements of controversy in it. They were discussed by the Good Friday Agreement Committee in the Oireachtas. One key message in any report is the issue of what happens to it when it is concluded. If this is allowed to sit on a shelf, there was no point in doing the exercise. I agree with the concept of trying to keep the issues raised in it ‘live’. I accept that there were some issues that people did not agree with. However, the baby and the bath water should not be thrown out together. I very much advocate keeping this show on the road.

Mr Barry McElduff MLA: Co-Chair, go raibh maith agat. I will briefly state the Sinn Fein position on the Eames-Bradley Report. We call for an independent international truth commission. If such a commission was set up, we would call on Irish Republicans to play a full role in a truth recovery process of that nature. It must command the confidence of the community and not be sponsored by a protagonist to the conflict—in our eyes, the British Government is such a protagonist. Both the Irish and British Governments should pursue this course of action, and ask a reputable body such as the United Nations to devise and implement a process. Recently, we have seen attempts to redefine a victim of the conflict, particularly by Jeffrey Donaldson of the DUP. That would create a hierarchy of victims. That is something that we reject outright. I want to put that on the record.

The British Government have suppressed a number of important reports in this area, from Stalker to Sampson and Stevens, and including the report into the murder of human rights lawyer Pat Finucane. They have not co-operated with the Barron commission on the Dublin and Monaghan bombings. The British Government should yield to a truth recovery process that is international and independent, and the Irish Government have a constitutional, legal and moral responsibility to encourage this. That is a brief statement of how Sinn Fein views the matter.

The Co-Chairman (Mr Niall Blaney TD): Thank you, Barry. I will now put the Question.

Question put and agreed to.

Resolved:

That the Assembly takes note of the Report of the Steering Committee on the Report of the Consultative Group on the Past [Doc No 160].

The Co-Chairman (Rt Hon Paul Murphy MP): You will have received a document prepared by the Scottish delegation, Doc No 161. We touched on this, if you recall, when we discussed with Peter Hain the future relationship between this Assembly and the British-Irish Council. The Steering Committee has agreed that the document be circulated and placed on the agenda for the next plenary in Cavan. Is that agreed? It is agreed.

We have come to the end of the formal proceedings before we are addressed by Gerry Adams. I am informed that he is now en route from Bristol Airport. Are there any other issues that members feel they have to raise while we have the opportunity? If there are not then we will suspend the session until Gerry Adams arrives, which, depending on the traffic, should be about 11.30 a.m.—which is earlier than scheduled. He is currently in the car coming from the airport. Since members who flew in will have to wait for their planes in any event, I suggest that they enjoy Swansea in the mean time, even though the weather is not particularly good. We will call the Assembly together when Mr Adams arrives. Thanks very much.

The sitting was suspended at 10.05 am.

On resuming —

ADDRESS BY MR GERRY ADAMS MP MLA

The Co-Chairman (Rt Hon Paul Murphy MP): Order, order. Thank you very much indeed colleagues for coming back. I very much welcome Gerry Adams, the president of Sinn Féin, to the Assembly this morning. Gerry and I have known each other for quite a long time now. We are graduates of the Good Friday Agreement and he played an enormous part in bringing peace to the island of Ireland and particularly, of course, in the Northern Ireland context.

Since then, of course, he has been president of a party which is now in Government in Belfast and there are still, of course, issues which need to be resolved. I am sure Gerry will be touching on those and other ones as well. It gives me great pleasure in asking Gerry Adams, president of Sinn Féin, to address the British Irish Parliamentary Assembly.

[Applause.]

Mr Gerry Adams MP MLA: Thank you Paul, go raibh maith agat. Sílim go bhfuil sinn i nGaeilge. Tá mise.

I want to begin by thanking Paul for his very generous remarks and by thanking the British Irish Parliamentary Assembly for the invitation to speak here today. Over the years this Assembly, through its committees and plenary meetings, has created a context in which parliamentarians from Ireland and Britain are able to come together and discuss issues of mutual importance.

This institution, through the British-Irish Inter Parliamentary Body, predates the Good Friday Agreement, and there can be no doubt that the focus of much of your work is rooted in that agreement and the political institutions that have emerged from it. This is very important.

The Good Friday Agreement is a unique document. It was born out of centuries of British involvement in Irish affairs. This resulted in conflict, communal division and sectarianism, the partition of the island of Ireland, the partition of Ulster, and the creation of a Unionist-dominated state in the north-east part of our country.

Partition is not just a line on the map; it was the construction of a system of political apartheid which relied on discrimination and denied democracy and justice. Resolving the many complexities resulting from this was never going to be easy.

The Good Friday Agreement and the St. Andrews Agreement put in place mechanisms and arrangements which seek to do that. These include political matters, institutional arrangements, human rights, equality, policing, justice, language and cultural issues, as well as the crucial issue of constitutional matters.

And it does all of this in an all-Ireland context. These agreements are also very significant instruments of change; real change in real ways in people's daily lives. For this reason elements of political Unionism opposed to this new dispensation seek to minimise, to dilute and to delay the potential of the agreements or to oppose this new dispensation entirely.

So the Good Friday Agreement and the St. Andrews Agreement continue to face huge challenges, not least for example in the failure of the British Government to fulfil its obligations, in particular on the issue of Irish language rights.

But for the purpose of today's remarks let me focus on the issue that has dominated politics from before partition—the constitutional issue. That is the relationship between Ireland and Britain. The Good Friday Agreement recognises that it is for the people of the island of Ireland to determine our own future and exercise our self-determination. In the event that a majority of people in the North prefer a sovereign united Ireland then the British Government will legislate for this. The agreement also sets out the mechanism by which this will happen—by means of a border poll.

So, there you have it. The people living on the island of Ireland can determine our own future, and when a majority in the North and a majority in the South opt for Irish reunification, the constitutional process to bring that about will kick in. The Good Friday Agreement therefore provides for a constitutional route to Irish unity. That is a significant achievement.

Sinn Fein seeks to build on this by working in partnership with others of like mind in Ireland to build political support for Irish reunification. There is a very particular responsibility, a constitutional responsibility, for all parties in the

Oireachtas and particularly for the Government in Dublin to actively work for reunification.

We also have to persuade Unionists—or at least a section of Unionism—that such a development makes political, social and economic sense and that it serves their self-interest. There is already a growing awareness of the importance to our future prosperity and growth of the all-Ireland economy and of all-Ireland connections in health, education, energy, the environment and much more.

These are common sense and practical arrangements which must be built upon. Sinn Fein is also currently engaged with Unionists and particularly, and especially with disadvantaged Unionist working-class areas, to a greater extent than ever before. We need to address, all of us, the genuine fears and concerns of Unionists in a meaningful way. We need to look at what they mean by their sense of Britishness and be willing to explore and to be open to new concepts. We need to look at ways in which the Unionist people can find their place in a new Ireland. In other words it needs to be their united Ireland.

So there are many issues for Republicans and Unionists to talk about. However it is worth noting that within the current British system, Unionists are fewer than 2 % of the population; they cannot hope to have any significant say in the direction of their own affairs. As 20% of a new Ireland, Unionists will be able to assert their full rights and entitlements and exercise real political power and influence.

So, Sinn Fein's view of a new Ireland is of a shared Ireland, an integrated Ireland, an Ireland in which Unionists have equal ownership; an Ireland in which there will be respect for cultural diversity, and a place in which there is political, social, economic and cultural equality.

There is no desire on the part of Irish Republicans to conquer or to humiliate Unionists. There can be no place for revenge in the thinking of Irish Republicanism. Nationalists and Republicans want our rights but we do not seek to deny the rights of anybody else. There is a real distinction that we have always drawn, and it is between justice and privilege. Justice for all and privilege for none. This means, for example, that Orange marches will have their place in a new Ireland, albeit on the basis of respect and cooperation.

But the Irish question, as it has been described over the years by some, is not simply one for the Irish. There is not only a democratic requirement on the part of the peoples of Britain to adopt a positive stance on how the Irish question should be finally settled, there is a moral imperative. It is one thing saying that Unionists should not be frogmarched into a united Ireland; it is another to adopt the position of silence in the face of whether or not a united Ireland should come into being, in whatever negotiated form that will entail. The peoples of Britain have a duty to themselves, to Unionists in particular, to the Irish in general, and even to the world, to stand up and speak their opinion on the issue of the reunification of Ireland.

I believe that the economic and political dynamics in Ireland today make Irish reunification a realistic and realisable goal in a reasonable period of time. I invite the British-Irish Parliamentary Assembly to join in this historic endeavour. We have to persuade the British Government to change its policy from one of upholding the union, even in a slightly agnostic way, to one of becoming a persuader for Irish unity. This also involves persuading the other political representatives of the peoples of these islands—whether in Scotland or Wales or the north of England or London or the Isle of Man or Guernsey, that their interests are also served by helping the people of Ireland achieve reunification.

There are also common sense economic, social, environmental, health and many other reasons why Irish reunification makes sense over partition. In reality the border is more than just an inconvenience. It is an obstacle to progress and while its adverse affects are most clearly felt in the communities which straddle the border, it also impacts negatively throughout the island.

The reality also is that the economy of the North is too small to exist in isolation. The economies of both parts of the island are interlinked and interdependent. The delivery of public services is restricted in the divided way that we work and it is sometimes very inefficient. There are two competing industrial development bodies seeking inward investment, with no coordination in supporting local industries. We have two arts councils and two sports councils and three tourists' bodies. This is not efficient.

There are some who suggest that because we live in a period of severe economic difficulty that Irish reunification should be put off for the foreseeable future. In fact the opposite is the case. There is now a need, more than ever, for the island economy to be brought into being in the fullest sense, and for the political and administrative structures to be instituted with that in mind.

Many in the business community, North and South, already recognise this fact and all the indications are that the European Union also understands how the needs of Ireland can best be met by treating it as an island rather than as two entities on an island. Geography does not necessarily determine politics, but neither can it be ignored in assessing what is the most effective approach to meeting the challenges of economic development and satisfying the needs of communities.

The Good Friday Agreement therefore is an opportunity to develop understanding and to advocate rationally the benefits of Irish reunification. The institutionalised elements of the Good Friday Agreement and of St. Andrews are therefore important mechanisms to be built upon.

The Good Friday Agreement also proposed the establishment of an All-Ireland Civic Forum and an All-Ireland Parliamentary Forum. An All-Ireland Civic Forum could offer a very important input—it is not yet in place—for citizens throughout the island to discuss problems of a common nature. It could also enable a greater level

of mutual understanding to develop. As for an All-Ireland Parliamentary Forum, which is not in place either, the important work of this body provides ample evidence of the benefits that would derive from the establishment of such a body.

So, my friends, if I was to reduce all of these remarks to one sentence it would be to repeat what I have said earlier; there is a democratic requirement and moral imperative on the part of the peoples of Britain and their representatives to adopt a positive stance on how the Irish question should be finally settled. This means initiating and supporting measures to bring about the reunification of the people of Ireland. Sinn é, go raibh maith agaibh. *[Applause.]*

The Co-Chairman (Rt Hon Paul Murphy MP): Gerry, thank you very much indeed for a thought-provoking address to us. I know you are quite happy to answer questions and I think we will have Charlie O'Connor first, followed by Paul Flynn.

Mr Charlie O'Connor TD: I am embarrassed to be first but could I be associated with the warm welcome extended to Mr. Adams and bring Gerry greetings from Tallaght, if I may? One of your members told me lately that you are in Tallaght more often than Charlie O'Connor is but you know that is not quite true. But you are always welcome.

The Chairman has made the point that what you have just said will be thought-provoking and was fairly brave. I certainly acknowledge that. I have just two questions, one a little flippant. I know you were mentioning where co-operation takes place and I wonder is this a good week to ask you should we not have a united soccer team representing Ireland?

There is a more serious question. You made a challenge to the British and Irish Assembly and I wonder how you see the British and Irish Assembly now responding into the future to the point you made about the question. Because you are under pressure for time, Chairman, I will leave it as brief as that and thank you.

Mr Paul Flynn AS: Fel aelod o'r un Senedd a'r areithiwr, mae'n bleser clywed llais nad wyf wedi'i glywed yn y Senedd honno. Fel gweriniaethwr nad yw'n hoff iawn o frenhiniaeth, yr wyf yn defnyddio ffurf o eiriau cyn y llw i sicrhau fy mod yn gallu cymryd y llw. Mae'n eithaf posibl llunio cyfaddawd sy'n dderbyniol i ni sy'n erbyn y frenhiniaeth ond sydd am fod yn aelodau o'r Senedd yn San Steffan. A yw'n bosibl cael ffurf o eiriau sy'n dderbyniol i Sinn Féin ac i San Steffan er mwyn sicrhau bod y nonsens presennol, lle mae pobl sydd wedi eu hethol yn methu â siarad yn y tŷ, yn y

Mr Paul Flynn MP: As a member of the same Parliament as the speaker, it is a pleasure to hear a voice that I have not heard in that Parliament. As a republican who is not a fan of monarchy, I use a form of words before taking the oath that makes it possible for me to take the oath. It is possible to come up with a compromise that is acceptable to us who are opposed to the monarchy but who wish to be Westminster Members of Parliament. Is it possible to come up with a form of words that is acceptable to Sinn Féin and to Westminster, to bring an end to the current nonsense of

dod i ben?

elected members being unable to speak
in the house?

Mr Gerry Adams MP MLA: I will take the second question first. Níl me sásta

Just to say—I am sorry I am not able to speak to you in your own language—that the question of Irish Republicans taking an oath to a monarchy is one of those issues which will not be resolved by any messing with words. As a Republican, I am against kingdoms of any kind, against elites of any kind, against hierarchies of any kind and for citizen's rights and the core principles of what Republicanism is about as an international philosophy and as an Irish political philosophy. That is about the people being sovereign.

Whatever attractions there may be in Westminster, it will not be graced by the presence of people that are elected in Sinn Féin not to go there. Let us not forget this very important distinction: Sinn Féin is elected not to attend Westminster. We follow a very clear, coherent strategy of active abstentionism and the people who elect us and who have had ample opportunity to elect others—there is always a wide choice of candidates—choose to continue to elect us on the basis that we will not attend the Westminster Palace.

Incidentally there is another twist on this because one of the former Taoisigh, Bertie Ahern, made a very clear commitment to me, and did so publicly as well, that representatives from the North would be able to attend the Dáil in the South, yet another issue which the Irish Government has reneged upon and not brought into practice.

We understand that because those of us who come from the North are outside the jurisdiction, we would not have voting rights at this point in the Parliament in Dublin but nonetheless we do think that it is important that those who elect us have an institution, which while not quite national, certainly aspires to be so and would be improved, I think, by the presence of Sinn Féin and others. The Unionists would obviously also be invited to attend that as well.

That brings me to Charlie's question and it is how we develop. The All-Ireland Parliamentary Forum, in my view, should be put in place and it is entirely a matter for both administrations. It is entirely a matter for the Assembly in the North and the Oireachtas in the South and it should be brought together. I have spoken to the Ceann Comhairle, or Speaker, at Stormont about this and while there may be some sensitivities within elements of Unionism, I think we can only continue the work we have all been doing collectively in that type of forum.

Yes, we should have an all-Ireland soccer team. I always get chastised by Martin McGuinness for saying this but I find soccer a very pedestrian sport. Hurling is my favourite game, with football and camogie coming a close second. We certainly would improve our ability to win if we had an all-Ireland soccer team as we

have an all-Ireland rugby team. I think—although I am no expert—that soccer is probably the only sport which is not organised on an all-Ireland basis.

I do not know if Charlie is looking for a job as goalkeeper or manager but I certainly support that.

Mr Charlie O'Connor TD: I could be looking for a job anyway.

Mr Gerry Adams MP MLA: That is right. Well, come the next election we will see.

Mr Charlie O'Connor TD: Take it easy.

The Co-Chairman (Rt Hon Paul Murphy MP): Okay, thanks very much. Now Alf Dubs followed by Bethan Jenkins.

Lord Dubs: Gerry, thank you very much indeed for coming along and speaking to us. I would think most of us would have a broad agreement with what you have said. There is one thing you said that I want to ask you about. You said the British Government should become persuaders for Irish unity.

Now let me put this to you. For years the British Government has been a persuader for Irish partition and we have been criticised by Nationalists and Republicans for adopting that position. Surely it is better if we stay out of it and let the people of Ireland decide for themselves, rather than go on interfering in Ireland, albeit on the other side.

Mr Gerry Adams MP MLA: I do not think there is any such thing as a neutral British Government. By any interpretation a British Government is a Unionist Government. A British Government may not like to hear itself described in that way because there are elements of Unionism which I would reckon British Governments would not subscribe to but in terms of maintaining the union, that is the stated policy of the British Government, now in a very conditional way.

We have seen in other parts of the world, for example in Hong Kong, how a British Government can take up a totally different position. My strong view, and this is my conviction over a few decades, is that there is no morality in the British Government's attitude towards Ireland, that expediency and self-interest is what rules. That is not to say that there are not individuals or politicians who are very moral and very principled but as an institution the British Government's attitude is entirely self-serving.

So I do think that it has a responsibility to move its policy to one which recognises the reality and even Unionists whom I talk to do see Irish unity, though they may protest in public, as inevitable. I think that a British Government, having signed up to a Good Friday Agreement in which it is obliged to legislate for that, should then move to create the conditions where that is brought about in a manner

which is most sustainable and with the least discomfort and the least pain and the least misunderstanding for the people involved.

The question of the union is one for the British Government. The question of what happens in Ireland is one for the people of the island of Ireland.

Ms Bethan Jenkins AM: I will speak in Welsh

Diolch yn fawr am ddod i Abertawe heddiw. Mae gennyf feddwl mawr o bopeth yr ydych wedi ei wneud fel rhan o'r broses heddwch yn Iwerddon, nid yn unig oherwydd fy mod yn wleidydd cenedlaetholgar ym Mhlaid Cymru, ond oherwydd bod gennyf deulu sy'n dod o Felffast ac yr wyf yn deall yr hyn maent wedi gorfod mynd drwyddo fel gweriniaethwyr yn yr ardal, yn sgîl y problemau a'r gwrthdaro. Yr ydych wedi dweud bod lle i bobl o Gymru, yr Alban a Lloegr chwarae rôl yn awr wrth geisio uno Iwerddon. Fel yr ydych yn gwybod, mae Cymru yn brwydro am refferendwm a mwy o bwerau ac mae'r Alban yn brwydro am annibyniaeth. Pa rôl fydd gan y pleidiau yn y Llywodraeth yma yng Nghymru ac yn yr Alban er mwyn eich helpu chi? Yr ydych yn gallu ein helpu er mwyn rhoi'r achos am fwy o bwerau i Gymru.

Yn ail, yr ydych yn dweud bod Iwerddon unedig yn anochel. A ydych yn credu bod angen i Sinn Féin gael mwy o gefnogaeth yn y de er mwyn i hynny ddigwydd? A oes angen mwy o weithredu gan y Llywodraeth Brydeinig neu gan gyrrff rhyngwladol eraill, megis cymunedau yn America neu Lywodraeth America? Diolch yn fawr.

Thank you for coming to Swansea today. I have a great deal of time for everything that you have done as part of the peace process in Ireland, not only because I am a nationalist politician for Plaid Cymru but because I have family in Belfast and I understand what they have had to go through as republicans in the area as a result of the troubles and the conflict. You have said that people in Wales, Scotland and England now have a role to play in trying to unite Ireland. As you know, Wales is fighting for a referendum on more powers and Scotland is fighting for independence. What role will the parties in Government here in Wales and in Scotland have in helping you? You can help us in making the case for more powers for Wales.

Secondly, you say that a united Ireland is inevitable. Do you believe that Sinn Féin needs to gain more support in the south for that to happen? Does the British Government or other international bodies, such as communities in America or the American Government, need to do more? Thank you.

Mr Gerry Adams MP MLA: Thank you for those questions. I do not know really what help we can be to people in Scotland or to Wales but I am reminded of a song which used to be sung in Ireland quite a lot and has the wonderful chorus which goes 'Thank God we're surrounded by water', which defines the difference between Ireland and other parts of our nearest off-shore island.

Mr Barry McElduff MLA: Gerry this is a walk-out. I have to go. *[Laughter.]*

Mr Gerry Adams MP MLA: Okay Barry.

The Co-Chairman (Rt Hon Paul Murphy MP): Sort him out. *[Laughter.]*

Mr Andrew Mackinlay MP: He is off to the garden party in Buckingham Palace.

The Co-Chairman (Rt Hon Paul Murphy MP): The troops are deserting you here.

Mr Gerry Adams MP MLA: I know. I have been there before. I think we should explore it and I think there are opportunities through a forum like this or people coming back and forth to explore all of these issues. One of these issues that I actually reached out to talk to Paul on recently was the question of the Irish language and of the options of an Acht na Gaeilge, or an Irish language Act. I noted on the way up in the car the amount of bilingual signage and I know the issue of the Welsh language used to be a very controversial one. Now it appears to be less so and we clearly want to get in that position, those of us who love our language, and it is not the property of any one section of our people or of any political party.

Apart from the big questions about sovereignty and the future, there clearly are issues which are of great help. I do not mind telling you that when I was in Long Kesh I was interned without trial and one of the regiments there was the Welsh regiment, the Welsh Guards. During an attempted escape from Long Kesh, the Welsh Guards shot dead a friend of mine, a prisoner, Hugh Coney, who was also held without trial.

That is when I first heard the words ‘lechyd da’, and when that regiment was being withdrawn from the camp, about 600 internees stood in the huts and behind the wires and shouted “lechyd da” as they left. So there are prickly and jagged bits of our history and there are also very common Celtic roots to our history. The name “Breatnach” or “Welsh” is about the third most common name in Ireland, clearly showing the links here to Wales. There are lots of issues that we could help each other on.

In terms of working towards Irish unification, of course I would like to see Sinn Féin having greater representation in the South and that is a matter for us to keep working at. Clearly it is a matter for the electorate. This is not just an issue which Sinn Féin has a monopoly on. All of the parties—I see some of the main parties represented here—have Irish reunification as their very clear primary objective and yet arguably, until the Good Friday Agreement, the Irish Government did not have any clear positive role in trying to deal with what was happening in the North or what was then the constitutional imperative to pursue Irish unification.

Partition hurts both parts of the Ireland and not just the North. There were two conservative states established and we are still working through some of the symptoms, effects and consequences of all that.

I do think the international community does have a role to play. There are clearly matters which are issues for people who live in Ireland, and probably the biggest challenge is for us to reach out to the Unionists, listen proactively and try to find common ground and be engaged in nation building. A united Ireland might be almost certainly a different creature to that which was evoked in songs and poetry of another age but it has to be a united Ireland in which the Unionists have very clear ownership.

That is probably best reflected in the Irish national flag, which sees peace and unity between orange and green. A lot of us who are green need to learn that orange is also part of what we are. Ireland is now much more multicultural and there are lots of new Irish, so we are living in a different age.

People here and their representatives clearly have a role to play by raising the issue, informing themselves on the issue, by taking the Good Friday Agreement and working their way through it. With regard to the international community, I spoke at two conferences in the USA over the summer and there is a conference in Britain next year to kick-start a campaign there. We intend to work with all the parties and other agencies, as well as ordinary citizens, to win support for this. Maith thú, go raibh maith agat.

The Co-Chairman (Rt Hon Paul Murphy MP): Thank you very much indeed. I now call on Hugh Henry from the Scottish Parliament followed by Paul Bew.

Mr Hugh Henry MSP: Thank you. With regard to the line of the song that you mentioned, the line before it is

‘Good help the poor Scotsmen, they’ll never be free, thank God we’re surrounded by water’.

I think that was the full context of that.

Yesterday we heard about the impact of the recession and the consequences, particularly for young people. We know from previous experience that when you have a large number of young people in society, there is a potential for them to become disaffected. In the context of the North of Ireland, history has shown that those young people can become engaged in a range of protests.

What are the dangers of the current recession in respect of young people being attracted towards those who would wish to continue an armed response or paramilitary activity? What is Sinn Féin’s attitude and what will Sinn Féin do to try to combat that?

Mr Gerry Adams MP MLA: There are two parts in that. First of all, I am someone who in the course of the conflict in Ireland defended armed actions as legitimate responses to British occupation so I do not shy away from that. I was not and I am not uncritical of armed struggle and it certainly was not a ringing endorsement of all the actions; on the contrary, I took issue with many of them.

Those days are over and any attempt by any of these groups who purport to be the IRA to hijack a struggle is very reprehensible. What Sinn Féin has been doing in all the areas where we have any support whatsoever and indeed in areas where we might not have as much support as we would like is to go in there and argue for unarmed, democratic and peaceful struggle.

We are now in a new dispensation and there is a strategy, as I have outlined, which can bring us to a united Ireland. The island is very much in transition and we will continue to do that. Martin McGuinness, the deputy First Minister, has, I think, shown remarkable leadership in how he has faced up to, for example, the killing of the police officer recently and the two British soldiers, and also the sectarian killing of a Catholic man in Coleraine.

We live in these communities. We live in the Ballymurphys, the Bogside, the Crossmaglen and we work within the communities and face up to this threat in a very real way.

There are, throughout these islands and I suppose in the West generally, a lot of people who have been left behind. There are parts of Limerick, for example, and parts of Dublin or Cork's urban areas—I am sure it is the same in London, Liverpool, Cardiff and Swansea—where there never has been anything but a recession. There are young people who never had an opportunity and it is now generational.

Our very strong view in terms of developing a peace process is that no-one should be left behind because in the particular acoustic of Irish history even in its current manifestation, young people alienated from society—no-hopers with nowhere to go—can be exploited by others.

There are very sad examples of this in Unionist areas, where in one particular constituency only 3% of young people passed any of their O levels. That means 97% failure. Think of that in your constituency. That is huge. There are also some areas which have been openly victimised by drug gangs in some cases and run by former paramilitaries on the Loyalist side. We can think of what it will be like in ten, 15 or 20 years' time.

Dublin has ongoing problems with drug gangs killing one another on a weekly and sometimes on a daily basis. So young people can be exploited either for pseudo-political reasons or just for straight mercenary reasons for those who want to make money out of illegal drugs trafficking or other criminality. It has to be opposed but we also need to change the political conditions.

I am a firm believer that people will respond to the political conditions in which they live. If people are living in hopeless conditions and subjected to domestic violence, alcoholism, abuse, poor housing and a lack of jobs while they see on their television screens acres of materialism, then you end up in a very difficult position. So all of that needs to be developed by building inclusivity, by linking regeneration to equality and by cherishing all of the people, and particularly all of our young people.

The Co-Chairman (Rt Hon Paul Murphy MP): Paul Bew followed by Andrew Mackinlay.

Lord Bew: Thank you very much for coming. I am very grateful to have had the chance to hear what you had to say today. I was struck by your opening remark when you talked about the role of Britain and Ireland in entirely negative terms; discrimination, apartheid state were two of the terms I noted and there were several other terms of equal weight in describing Britain and Ireland and the role that Britain has played in Ireland.

Just to take one example would you consider that the welfare state since the end of the Second World War in any way softens that picture of the role of Britain in Ireland, and that it has had, in fact, a tangible impact on both communities of a positive sort since the end of the Second World War to the present day on a universalist principle?

To come to your most important and I think most engaging point about the necessity for a dialogue and conversation with Unionists, is there any possibility that if you made such an acknowledgement, that might actually help? That type of acknowledgement might help that conversation, which I think you are quite right to prioritise.

The other position that you were talking about was that Britain should intervene or be a persuader, even on the Irish language question. Although you were not here to hear him say it, Peter Hain said in his opening remarks that he was actually surprised by the expectation that you had that it was the British Government's responsibility to sort out progress on the Irish language question. It is an expectation that you have repeated. It was really a matter to be sorted out locally.

If you are prioritising the local conversation, which I think is a very helpful theme in your remarks, does it matter at all how you actually approach it and describe the broad situation?

Mr Gerry Adams MP MLA: Well it does but we can only tell it as we see it. Of course the welfare state was a good thing. Unionists opposed it but we can put that to one side.

Lord Bew: They did implement it.

Mr Gerry Adams MP MLA: Obviously, I am not anti-British. I never have been anti-British. There are all sorts of elements of what I do not know could be called Britishness. Certainly, there was a lot of the music in the 1960s and I would be an admirer of some of the statespersons you have had. For me as an Irish Republican, as an Irish citizen, the role of the British Government in Irish affairs is totally unwanted. I do not want it. Why would I want anything other than my full entitlement that our people should govern ourselves any way that we want?

I know we have a huge challenge to listen to Unionists. It is not just about talking to Unionists. I think we have to listen and that is not only challenging but I think it can also be very rewarding. Therefore, obviously the way that one puts the case to Unionists has to be in a manner which allows for maximum engagement. It should not put people into a confrontationalist position.

There are many issues which we can usefully talk through. Even if we Irish make a mess of governing ourselves, that is our entitlement. We have the right, we have the wit, we have the intelligence to run our own business and we can do it. Why on Earth do we want anybody else butting in and dictating the rules by which we should order our society?

Let us take the best from the British experience and let us listen to Unionists in terms of their Britishness or their sense of Britishness and let us find protocols and means and measures to incorporate that into a new pluralist, egalitarian united Ireland. Let us do all of that. We can do that.

The Co-Chairman (Rt Hon Paul Murphy MP): Andrew Mackinlay followed by Jeff Ennis and then I will go to the next item.

Mr Andrew Mackinlay MP: I am going to try to keep the verbatim report of these proceedings hopefully for another 25 years because if I am around I want to read what I am going to say now. There seems to me a degree of inevitability that the relationship between the current countries of the United Kingdom will have dramatically and significantly changed in the next 25 years, particularly in relation to England and Scotland but inevitably from that, the relationship with Wales.

If those arrangements are altered, the relationship—particularly bearing in mind the cultural relationship of what Northern Ireland has to Scotland and so on—is going to be changed. Far from retarding the process, we—particularly people like myself—should be looking ahead to find how we have a relationship in this geographical area where we are ordained by almighty God because that is how he put us together on the map. There is an inevitability of gradualism about the governance and the relationships and the question of sovereignty of these countries. I regret that some people are not even looking ahead to talk about ‘ifs’.

I am not arguing for the break-up of the United Kingdom as it is, I am just saying that it must undergo organic change and the relationship could be a dramatic

difference or a change in modalities, which will inevitably have ramifications for the future of the island of Ireland.

The other point I want to say I address not just to Gerry Adams and his colleagues but to my friends from Fianna Fáil, Fine Gael and the Green Party. It is the relationship of the Commonwealth. People might think 'Well, Mackinlay that is very unimportant' but actually it is not and I would urge colleagues to think about this.

The Commonwealth is no longer and has not been for a long time the British Commonwealth; it is a mutual society and its Secretary General is in fact from the Republic of Nigeria. Its ownership is a collective one.

If you look at the history from where Gerry would see the genesis of his party, the advocates of external association in December 1921—I think it was Document No. 2—actually were prophetic because they saw what is today the modern Commonwealth. There is one vacant chair and that is the Irish Republic.

I know that when I floated this before—and other people have floated it—they keep referring to the British Commonwealth. It is not. The big players are demonstrably Canada, Australia, New Zealand, South Africa and Nigeria. The majority of states are republics. I think that Ireland, which has a proud record of its international engagement in the United Nations and European Union, could be urged to again punch above its weight and bring a quality experience to this mutual society of the Commonwealth.

I point to the fact that the founders of the Irish State had this concept. They split in January 1921. External association Document No. 2 was actually ahead of its time. It is precisely what Pandit Nehru got in 1948. India came in as a republic to the Commonwealth by accident more than by design but Ireland could take the lead. I urge people to think about this.

This is not in order to fudge this business of Unionism but I put it to colleagues that it just might marginally help if people anticipated this.

Ms Cecilia Keaveney, TD: We might win some medals. *[Laughter.]*

Mr Andrew Mackinlay MP: There is, of course, the Commonwealth Games. I do not major on sport but culturally it is important. We can bear in mind that in many of the body politic of Australia, the biggest indigenous ingredient is Irishness, and yet they are the proud advocates of the Commonwealth.

I would ask colleagues not to dismiss this out of hand but to reflect that Ireland should be in the Commonwealth. It would be in Irish interests and it would contribute to what is a society of rich and poor, people spanning the globe where the Irish tradition already punches way above its weight in a sense in Canadian

politics, New Zealand, Australian politics and to some extent South Africa. It would just be a good thing. I am sorry about that my lord. *[Laughter.]*

There endeth the lesson.

The Co-Chairman (Rt Hon Paul Murphy MP): Gerry, there was a controversial point there about the Commonwealth.

Mr Gerry Adams MP MLA: I neglected to pick up on the point about Peter Hain earlier on and I really am sorry that I was not here when Peter was making those remarks because the last man who should be surprised is Peter Hain. He was actually there at the negotiations. He resisted manfully the British Government coming forward with a commitment on Acht na Gaeilge. The record will show that this is the case and I have spoken to Peter quite a few times since then.

You have asked me to reflect, so I will. *[Laughter.]*

The Co-Chairman (Rt Hon Paul Murphy MP): Finally, Jeff.

Mr Jeff Ennis MP: Thanks Co-Chair. Gerry, I represent one of the most deprived constituencies in south Yorkshire in the whole of England. One of the successes that we as a Government have had in constituencies like mine has been the enhanced role, finances and promotion that we have given to the voluntary sector, or as we now call it, the third sector, in trying to attempt to promote community cohesion.

A classic example, of course, is credit unions, which this Government has really supported in these hard financial times. I am just wondering from your perspective representing Northern Ireland, how important the role of the voluntary sector is in terms of promoting community cohesion across the communities in Northern Ireland and further to that, is there a need to have the voluntary organisations in the North and the South work more collaboratively to try to promote community cohesion across the islands?

Mr Gerry Adams MP MLA: I think you make a very good point. I am a huge admirer of the voluntary sector and community sector. My work takes me into very disadvantaged areas North and South and across the island. It is my strong view that the cement which holds those communities together is the people who take the soccer team on a Saturday morning and the people who take the Gaelic football team on a Saturday afternoon, the people who work with our young people, who look after those with disabilities and senior citizens. It is the people who do all of those wonderful things.

Not only is there that sense of volunteerism, public service and working in the common interest and of community, but all of that in many ways encompasses what I think are my core values as a practising politician. It should be supported. In parts of Belfast, even at the height of conflict and sectarian disorder, sensible people have

worked quietly at trying to on the one hand to minimise the dangers and also to try to immunise young people from sectarianism and division.

It is also bad economics not to invest in communities. It is bad economics if you end up with people who are not looked after. Then it will cost the State more in the longer term. I believe that the arts and particularly the community arts are hugely important in the healing process and anybody who is engaged at that end of things will tell you that this is where a lot of young people want to be involved. They want to be involved in radio programmes and film making and painting and music; in storytelling.

Sometimes trying to get grants for some of that is terrible. Yet if one of those young people went off and burned a bus on a Saturday night it would probably cost more to replace that than it would to sustain a useful project.

I think there has been untold work done. The biggest exposition of this in recent times in Ireland was the Special Olympics, and for me that was such an emotional event. Those young athletes had such a focus on them in the media and they found when they walked in the capital in Dublin, people were applauding them in the streets during that big event. Host communities North and South across the island opened their doors to young people with learning difficulties, special Olympians and athletes right across the island. That is one very evocative snapshot.

I agree entirely with what you say and I applaud the work that is done by the voluntary sector and community sector.

The Co-Chairman (Rt Hon Paul Murphy MP): Gerry, thank you very much indeed for a lively, fascinating discussion. Thank you very much indeed. *[Applause.]*

I remind us all that this organisation, this Assembly, is the only body in these islands which brings together parliamentarians from every Legislature and is a direct result of Strand 3 of the Good Friday Agreement, and of course, of the inter-parliamentary body before it.

Before I ask Joyce Watson, a member of the Welsh Assembly, to move the Adjournment, I just want to say how much I would like to thank all those involved in organising this session. I say this to Alda, to Michael, to Amanda, to Rhoda and to everybody involved. I would particularly like to mention Prescilla Hungerford for all the work that she has done in making this the success that it is. I would like to ask if she would come up to accept a little present. Would you like to come up and receive a little something from us? .

[Applause.]

ADJOURNMENT

Ms Joyce Watson, AM: I beg to move that the Assembly do now adjourn.

Thank you, Co-Chairman. I thank the staff at the Swansea Marriott Hotel, who have been very polite and helpful with all the arrangements. I also wish to thank the staff at the National Waterfront Museum who last night put on a wonderful meal at a superb venue for a formal dinner. I know I certainly ate my fair share of that dinner.

I would also like to thank both Co-Chairmen and particularly the British Secretariat for making the arrangements for the conference here at Swansea, which has been very well organised. We were not let down either by the fact that Swansea is the wettest city in the UK and has come true to form today.

I also wish to thank the guest speakers, particularly the Right Honourable Peter Hain, Professor Monica McWilliams, Dr. Maurice Manning, Mark Durkan and Mr. Gerry Adams, for their contributions to this conference.

Finally, I think we are all looking forward to the next conference in Cavan next year and I am sure that everybody here would like to wish Eoin Faherty all the very best in future.

[Applause.]

Thank you.

The Co-Chairman (Rt Hon Paul Murphy MP): I now declare the thirty-ninth Plenary Session of the Assembly closed. We will meet in plenary session on Monday 22 February, and Tuesday 23 February in Cavan, Ireland. Order, Order.

The session adjourned at 12.30 p.m.

