



Northern Ireland  
Assembly

# OFFICIAL REPORT

(Hansard)

## Volume 1

(1 July 1998 to 1 February 1999)

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## ASSEMBLY MEMBERS

(A = Alliance Party; NIUP = Northern Ireland Unionist Party; NIWC = Northern Ireland Women's Coalition; PUP = Progressive Unionist Party; SDLP = Social Democratic and Labour Party; SF = Sinn Féin; DUP = Ulster Democratic Unionist Party; UKUP = United Kingdom Unionist Party; UUP = Ulster Unionist Party; UUAP = United Unionist Assembly Party)

Adams, Gerry (SF) (West Belfast)  
Adamson, Ian (UUP) (East Belfast)  
Agnew, Fraser (UUAP) (North Belfast)  
Alderdice of Knock, The Lord (Initial Presiding Officer)  
Armitage, Pauline (UUP) (East Londonderry)  
Armstrong, Billy (UUP) (Mid Ulster)  
Attwood, Alex (SDLP) (West Belfast)  
Beggs, Roy (UUP) (East Antrim)  
Bell, Billy (UUP) (Lagan Valley)  
Bell, Eileen (A) (North Down)  
Benson, Tom (UUP) (Strangford)  
Berry, Paul (DUP) (Newry and Armagh)  
Birnie, Esmond (UUP) (South Belfast)  
Boyd, Norman (NIUP) (South Antrim)  
Bradley, P J (SDLP) (South Down)  
Byrne, Joe (SDLP) (West Tyrone)  
Campbell, Gregory (DUP) (East Londonderry)  
Carrick, Mervyn (DUP) (Upper Bann)  
Carson, Joan (UUP) (Fermanagh and South Tyrone)  
Close, Seamus (A) (Lagan Valley)  
Clyde, Wilson (DUP) (South Antrim)  
Cobain, Fred (UUP) (North Belfast)  
Coulter, Rev Robert (UUP) (North Antrim)  
Dallat, John (SDLP) (East Londonderry)  
Dalton, Duncan Shipley (UUP) (South Antrim)  
Davis, Ivan (UUP) (Lagan Valley)  
de Brún, Bairbre (SF) (West Belfast)  
Dodds, Nigel (DUP) (North Belfast)  
Doherty, Arthur (SDLP) (East Londonderry)  
Doherty, Pat (SF) (West Tyrone)  
Douglas, Boyd (UUAP) (East Londonderry)  
Durkan, Mark (SDLP) (Foyle)  
Empey, Sir Reg (UUP) (East Belfast)  
Ervine, David (PUP) (East Belfast)  
Farren, Sean (SDLP) (North Antrim)  
Fee, John (SDLP) (Newry and Armagh)  
Ford, David (A) (South Antrim)  
Foster, Sam (UUP) (Fermanagh and South Tyrone)  
Gallagher, Tommy (SDLP) (Fermanagh and South Tyrone)  
Gibson, Oliver (DUP) (West Tyrone)  
Gildernew, Michelle (SF) (Fermanagh and South Tyrone)  
Gorman, Sir John (UUP) (North Down)  
Hanna, Carmel (SDLP) (South Belfast)  
Haughey, Denis (SDLP) (Mid Ulster)  
Hay, William (DUP) (Foyle)  
Hendron, Dr Joe (SDLP) (West Belfast)  
Hilditch, David (DUP) (East Antrim)  
Hume, John (SDLP) (Foyle)  
Hussey, Derek (UUP) (West Tyrone)  
Hutchinson, Billy (PUP) (North Belfast)  
Hutchinson, Roger (NIUP) (East Antrim)  
Kane, Gardiner (DUP) (North Antrim)  
Kelly, Gerry (SF) (North Belfast)  
Kelly, John (SF) (Mid Ulster)

Kennedy, Danny (UUP) (Newry and Armagh)  
Leslie, James (UUP) (North Antrim)  
Lewsley, Patricia (SDLP) (Lagan Valley)  
Maginness, Alban (SDLP) (North Belfast)  
Mallon, Seamus (SDLP) (Newry and Armagh)  
Maskey, Alex (SF) (West Belfast)  
McCarthy, Kieran (A) (Strangford)  
McCartney, Robert (UKUP) (North Down)  
McClarty, David (UUP) (East Londonderry)  
McCrea, Rev William (DUP) (Mid Ulster)  
McClelland, Donovan (SDLP) (South Antrim)  
McDonnell, Dr Alasdair (SDLP) (South Belfast)  
McElduff, Barry (SF) (West Tyrone)  
McFarland, Alan (UUP) (North Down)  
McGimpsey, Michael (UUP) (South Belfast)  
McGrady, Eddie (SDLP) (South Down)  
McGuinness, Martin (SF) (Mid Ulster)  
McHugh, Gerry (SF) (Fermanagh and South Tyrone)  
McLaughlin, Mitchel (SF) (Foyle)  
McMenamin, Eugene (SDLP) (West Tyrone)  
McNamee, Pat (SF) (Newry and Armagh)  
McWilliams, Prof Monica (NIWC) (South Belfast)  
Molloy, Francie (SF) (Mid Ulster)  
Murphy, Conor (SF) (Newry and Armagh)  
Murphy, Mick (SF) (South Down)  
Morrice, Jane (NIWC) (North Down)  
Morrow, Maurice (DUP) (Fermanagh and South Tyrone)  
Neeson, Sean (A) (East Antrim)  
Nelis, Mary (SF) (Foyle)  
Nesbitt, Dermot (UUP) (South Down)  
O'Connor, Danny (SDLP) (East Antrim)  
O'Hagan, Dara (SF) (Upper Bann)  
ONEill, Eamonn (SDLP) (South Down)  
Paisley, Rev Dr Ian (DUP) (North Antrim)  
Paisley, Ian Jnr (DUP) (North Antrim)  
Poots, Edwin (DUP) (Lagan Valley)  
Ramsey, Sue (SF) (West Belfast)  
Robinson, Iris (DUP) (Strangford)  
Robinson, Ken (UUP) (East Antrim)  
Robinson, Mark (DUP) (South Belfast)  
Robinson, Peter (DUP) (East Belfast)  
Roche, Patrick (NIUP) (Lagan Valley)  
Rodgers, Brid (SDLP) (Upper Bann)  
Savage, George (UUP) (Upper Bann)  
Shannon, Jim (DUP) (Strangford)  
Taylor, Rt Hon John (UUP) (Strangford)  
Tierney, John (SDLP) (Foyle)  
Trimble, Rt Hon David (UUP) (Upper Bann)  
Watson, Denis (UUAP) (Upper Bann)  
Weir, Peter (UUP) (North Down)  
Wells, Jim (DUP) (South Down)  
Wilson, Cedric (NIUP) (Strangford)  
Wilson, Jim (UUP) (South Antrim)  
Wilson, Sammy (DUP) (East Belfast)



# THE NEW NORTHERN IRELAND ASSEMBLY

**Wednesday 1 July 1998**

*The Assembly met at 2.00 pm (The Initial Presiding Officer (The Lord Alderdice of Knock) in the Chair).*

*The sitting was called to order at 2.06 pm.*

**The Initial Presiding Officer:** Welcome to the first meeting of the New Northern Ireland Assembly.

## ASSEMBLY: PRELIMINARY MATTERS

**The Initial Presiding Officer:** I will begin the proceedings by drawing attention to a number of formal statements.

First, in respect of my own position, I received from the Secretary of State for Northern Ireland a letter of appointment dated 29 June. The relevant paragraph reads as follows:

“In accordance with paragraph 3(1) of the Schedule to the Northern Ireland (Elections) Act 1998, I hereby appoint you as the Initial Presiding Officer for the New Northern Ireland Assembly.”

The letter also contains formal notification of the time and place of the first meeting of the Assembly. The relevant paragraph reads as follows:

“By virtue of paragraph 1 of the Schedule to the Northern Ireland (Elections) Act 1998 it falls to me to decide where meetings of the Assembly shall be held, and when. I hereby direct that the first meeting of the Assembly shall take place in Block B, Castle Buildings, Stormont, commencing at 2.00 pm on Wednesday 1 July.”

I will arrange for the full text of that letter to be printed in the Official Report.

Following is the letter:

“In accordance with paragraph 3(1) of the Schedule to the Northern Ireland (Elections) Act 1998, I hereby appoint you as the Initial Presiding Officer for the New Northern Ireland Assembly. Further details of the terms of your appointment will follow shortly.

An early substantive task for the Assembly will be to consider any proposals there may be to elect an Initial Presiding Officer and a Deputy Initial Presiding Officer, on a cross-community basis. You would of course be eligible to be nominated as a candidate for election to the post of Initial Presiding Officer. If no proposal is

made or no election is successful, you would of course remain in post.

## Time and place of Assembly meetings

By virtue of paragraph 1 of the Schedule to the Northern Ireland (Elections) Act 1998 it falls to me to decide where meetings of the Assembly shall be held, and when. I hereby direct that the first meeting of the Assembly shall take place in Block B, Castle Buildings, Stormont, commencing at 2.00 pm on Wednesday 1 July.

Should there be business for the Assembly to conduct on Thursday 2 July, I would be content to direct that a meeting be held on that day at the same place. Thereafter, while facilities for Members, Committees and office-holders will continue to be available, initially at Castle Buildings and then at Parliament Buildings throughout the summer, I presume there will be an interval of some weeks before the next meeting of the Assembly. I will need to write to you formally about that in due course but I hope that before then Paul Murphy or I can have a discussion with you about how my duty to direct the times and places of the Assembly's meetings can be discharged in a way which gives the Assembly reasonable flexibility and an opportunity to influence the pattern and frequency of its own meetings.

## Standing Orders

In accordance with paragraph 10(1) of the Schedule to the Northern Ireland (Elections) Act 1998, I am responsible for determining the Standing Orders for the Assembly and I hereby notify the enclosed Standing Orders to you. They have been drawn up following consultation with the political parties and I trust that they provide a basis for the efficient conduct of the Assembly's initial business. You will see that Annex A to the Standing Orders sets out the agenda for the Assembly's first meeting.

Clearly, more developed Standing Orders will need to be drawn up to enable the Assembly to proceed, for example, to the appointment — by the D'Hondt procedure — of a Shadow Executive Committee and the establishment of related Assembly Committees; and I intend to determine such Standing Orders as soon as possible. In drawing these up I would value the views of members of the Assembly and I trust that arrangements can be made to enable the Government to consult a relevant Committee of the Assembly or to secure the views of the Assembly in other appropriate ways.

The work of the new Assembly in both its 'shadow' and substantive phases will be challenging and I hope rewarding, not only for all its members but for the people of Northern Ireland as a whole. The role of the Initial Presiding Officer will be extremely important in all of this.

I wish you every success as the Initial Presiding Officer for the New Northern Ireland Assembly. Paul Murphy or I would welcome an opportunity to meet you before the Assembly's first meeting to discuss any issues you would like to raise with us.”

I should also at this point draw attention to the statutory remit of this Assembly, which is set out in section 1(1) of the Northern Ireland (Elections) Act 1998:

“There shall be an Assembly called the New Northern Ireland Assembly, for the purpose of taking part in preparations to give effect to the Agreement reached at the multi-party Talks on Northern Ireland set out in Command Paper 3883.”

I have also received from the Secretary of State a letter, dated 29 June, formally referring a range of specific matters to the Assembly for its consideration.

Copies of that letter have been distributed to all Members, and I shall arrange for the full text to be printed with the record of these proceedings.

Following is the letter:

“The New Northern Ireland Assembly has been established, in the words of the Northern Ireland (Elections) Act 1998, ‘for the purpose of taking part in preparations to give effect to the Agreement reached in the multi-party talks on Northern Ireland set out in Command Paper 3883’. This reflects paragraph 35, page 9 of the Agreement which states that ‘The Assembly will meet first for the purpose of organisation, without legislative or executive powers, to resolve its Standing Orders and working practices and make preparations for the effective functioning of the Assembly, the British/Irish Council and North/South Ministerial Council and associated implementation bodies’.

By virtue of Section 1(2) of the Northern Ireland (Elections) Act 1998 I may ‘refer’ to the Assembly

- specific matters arising from the Belfast Agreement, and
- such other matters as I think fit.

During its ‘shadow’ phase the Assembly and those holding office in the Assembly will have a very important role to play in preparing to implement the various provisions of the Belfast Agreement. In that context there are a number of specific matters arising from the Agreement which I hereby refer to the Assembly.

First, the implementation of the Agreement requires the Assembly to organise itself and put in place the basic structures of the Assembly, as set out in the Agreement, through

- the election of a First Minister-designate and Deputy First Minister-designate, which I trust the Assembly will achieve at its first meeting
- reaching agreement on the number of Ministerial posts and the distribution of executive responsibilities between those posts. This may be primarily a matter for the First Minister-designate and Deputy First Minister-designate, in consultation with the other parties in the Assembly; but will ultimately need to be notified to the Assembly
- securing the nomination of shadow Ministers to those Ministerial posts, through the operation of the D’Hondt procedure
- establishing related Committees, nominating Chairs and Deputy Chairs to those Committees — again through the operation of the D’Hondt procedure — and appointing members to those Committees on a broadly proportional basis

Second, other preparations to implement the Agreement include those required to establish the British/Irish Council and North/South Council and associated implementation bodies. This will require action from the Assembly or members holding office in the Assembly, including:

- participation by representatives of the Northern Ireland transitional (or shadow) administration in inaugural meetings of the shadow British-Irish Council and the shadow North/South Ministerial Council and in regular and frequent meetings of those bodies
- working with the Irish Government in the shadow North/South Ministerial Council, in consultation with HMG, to complete a work programme on the lines set out in paragraphs 8 and 9 of the Agreement, with a view to identifying and agreeing areas

for co-operation and agreed implementation arrangements by 31 October 1998.

Third, the Assembly will need to ‘resolve’ its Standing Orders and working practices, to apply after powers have been transferred. Agreement on Standing Orders will of course require cross-community support in the Assembly.

Fourth, there is the question of establishing the ‘consultative Civic Forum’, as set out in paragraph 34 ... of the Agreement. This specifies that ‘the First Minister and Deputy First Minister will by agreement provide administrative support for the Civic Forum and establish guidelines for the selection of representatives to the Civic Forum’. During the Assembly’s shadow phase I am anxious to consult the First Minister and Deputy First Minister (and the Assembly more widely) so that arrangements can be put in hand to secure the earliest appropriate establishment of the Civic Forum.

In referring these four matters to the Assembly under Section 1(2) of the Northern Ireland (Elections) Act 1998, I reserve the right to refer these or other related matters to the Assembly in different or more detailed terms; and to refer a range of other matters, whether or not they arise specifically from the Agreement reached in the multi-party talks.”

Further, I have received from the Secretary of State today a letter dated 1 July, which reads as follows:

“Further to my letter to you of 29 June, and the initial Standing Orders for the New Northern Ireland Assembly, I am writing to notify you that I have determined that the initial agenda should be extended to enable a time-limited adjournment debate, once all the other business on the initial agenda has been completed.”

The purpose of that debate is to enable discussion on matters of current difficulty and importance in Northern Ireland. That will be the time when those matters may be raised. The Secretary of State has indicated that it is a time-limited debate, and I believe that all parties should have an opportunity to speak. I therefore propose to allow each party Leader, or his or her nominee, in order of party size, to speak for up to 10 minutes.

I mentioned to the party Whips yesterday that I, for so long as I am in the Chair, will have no objection to the use of Irish or any other language. However, we have no simultaneous translation facilities at present, so it would be appropriate if, out of courtesy, Members were to offer their own translation. Speeches will be reported in the language spoken. There will be no translation other than that which is offered by the Member. That applies to any alternative language, though Irish is, I expect, the one most likely to be used.

The Standing Orders provide that no mobile phones, tape recorders, brief-cases or large bags may be brought into the Chamber, including the Strangers’ Gallery. At this sitting Members may carry pagers so long as they are on vibration mode.

Finally, I propose to have a suspension of about 15 minutes after the signing of the Roll so that I can ensure that each Member has taken his or her seat in accordance with the Standing Orders.



I now invite Members to formally take their seats — in other words, to sign the Roll.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. You have indicated that there will be an Adjournment debate on important and significant matters and that the party Leaders or their nominees will be given 10 minutes to speak. Will the three individuals on the Unionist side be entitled to 10 minutes each?

**The Initial Presiding Officer:** I have received no approaches on that matter, but if I am still in a position to do so I shall consider any proposal as constructively as I can.

**Rev Dr Ian Paisley:** Further to that point of order, Mr Initial Presiding Officer. I take it that in future the three individuals will be informed. My information is that they have been told about nothing. Independent members of other bodies receive the same information as everyone else. The fact that people here are Independents does not mean that they should not be properly briefed.

**The Initial Presiding Officer:** How independent Members choose to conduct themselves is a business matter, and there are various models. However, perhaps it is a little early for us to be dealing with this question.

## ASSEMBLY: ROLL OF MEMBERS

2.15 pm

**The Initial Presiding Officer:** I now invite Members to take their seats by signing the Roll of Membership. This may be a time-consuming procedure, but it is important for practical reasons.

To avoid any confusion I shall ask the party groups, in alphabetical order, to come forward and sign one of the two registers, after which there will be a short suspension so that I may verify the designation — Unionist, Nationalist or Other — of each Member. I expect that it will take about 30 minutes to complete the process. Members may leave the Chamber during that time.

*The following Members signed the Roll: Eileen Bell, Seamus Close, David Ford, Kieran McCarthy, Sean Neeson, Monica McWilliams, Jane Morrice, David Ervine, Billy Hutchinson, Gerry Adams, Bairbre de Brún, Michelle Gildernew, Gerry Kelly, John Kelly, Alex Maskey, Barry McElduff, Martin McGuinness, Gerry McHugh, Mitchel McLaughlin, Pat McNamee, Francie Molloy, Conor Murphy, Mick Murphy, Mary Nelis,*

*Dara O'Hagan, Alex Attwood, P J Bradley, Joe Byrne, John Dallat, Arthur Doherty, Mark Durkan, Sean Farren, John Fee, Tommy Gallagher, Carmel Hanna, Denis Haughey, Joe Hendron, John Hume, Patricia Lewsley, Alban Maginness, Seamus Mallon, Donovan McClelland, Alasdair McDonnell, Eddie McGrady, Eugene McMenamin, Danny O'Connor, Eamonn O'Neill, Brid Rodgers, John Tierney, Paul Berry, Gregory Campbell, Mervyn Carrick, Wilson Clyde, Nigel Dodds, Oliver Gibson, William Hay, David Hilditch, Gardiner Kane, William McCrea, Maurice Morrow, Ian R K Paisley, Ian Paisley Jnr, Edwin Poots, Iris Robinson, Mark Robinson, Peter Robinson, Jim Shannon, Jim Wells, Sammy Wilson, Norman Boyd, Roger Hutchinson, Robert McCartney, Patrick Roche, Cedric Wilson, Ian Adamson, Pauline Armitage, Billy Armstrong, Roy Beggs, Billy Bell, Tom Benson, Esmond Birnie, Joan Carson, Fred Cobain, Robert Coulter, Duncan Shipley Dalton, Ivan Davis, Reg Empey, Sam Foster, John Gorman, Derek Hussey, Danny Kennedy, James Leslie, David McClarty, Alan McFarland, Michael McGimpsey, Dermot Nesbitt, Ken Robinson, George Savage, John Taylor, David Trimble, Peter Weir, Jim Wilson, Boyd Douglas, Denis Watson, Lord Alderdice.*

The sitting was suspended at 3.01 pm and resumed at 3.30 pm.

**The Initial Presiding Officer:** All the names and designations on the Roll of Membership have been checked, and some changes have been made. I am satisfied that those Members who have signed the Roll may be regarded as having taken their seats, their designations being now clear.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. Those whose designations were not clear included the two representatives of the Northern Ireland Women's Coalition. They seemed to be in some sort of political drag as "other Unionist/Nationalist". If they have now satisfied you with regard to their designation, can you satisfy us by telling us what that designation is?

**The Initial Presiding Officer:** They have changed their designation to "Inclusive other", the words "Unionist" and "Nationalist" having been deleted.

**Mr C Wilson:** On a point of order, Mr Initial Presiding Officer. It is quite clear from initial Standing Order 3(1) that Members should designate their identity as "Nationalist", "Unionist" or "Other". I understand that the two Women's Coalition Members have breached that. Indeed, I understand from an interview on television that the Alliance Party Members have described themselves as "Centre". Surely those who claim to have assisted in putting together these Standing Orders and this Agreement should abide by the rules and stop playing games with this Assembly.

**Rev Dr Ian Paisley:** I want to put another relevant point of order to you, Sir, so that you can answer both at once. How will you designate such Members for voting purposes? This has to do with consensus voting.

**The Initial Presiding Officer:** I have taken legal advice on a number of issues, including this one because the designations must be very clear and I have to be satisfied about them. The precise wording can be flexible, but the designation must be absolutely clear. The officials and I have checked through this, and with regard to the Women's Coalition and the Alliance Party I am very clear that the only possible interpretation of their designation is "Other". I can go through the designations of other Members if the Assembly wishes, but they are clear to me.

I remind Members that it is possible, with seven days' written notice, to change designation. That would be entirely proper; whether it would be politically advantageous is another matter and not for me to say.

Voting sheets for today have been made out, and the designations are clear. No change is possible within the next seven days. This is very relevant in view of the possibility of a number of votes.

## **ASSEMBLY: PRESIDING OFFICER AND DEPUTY**

**The Initial Presiding Officer:** The next item on the Order Paper is the election of a Presiding Officer. Are there any proposals?

There being no proposals, and the time for proposals having expired, I shall remain in office in accordance with Standing Order 13(5).

The next item on the Order Paper is the election of a Deputy Initial Presiding Officer.

**Rev Dr Ian Paisley:** I mentioned to you, Sir, that I wanted to raise a matter, and you said that I could not do so until that item of business had been disposed of. There is a shadow hanging over the province with regard to the Drumcree parade, and the Assembly should have an opportunity to discuss the matter. May I take it that each party Leader will have 10 minutes on the Adjournment? And will the Independents have an opportunity to take part?

**The Initial Presiding Officer:** In the Adjournment debate Members will be free to raise any issue that they choose, though I imagine that many may wish to talk about the matter to which you refer. I have decided that each of the parties will have 10 minutes during which

one person may speak. That may be the Leader or the nominee of the Leader.

I have received other requests that one of the three independent Unionist Members be allowed to speak. Since Mr Watson comes from the area where this matter is at its height, it seems to me not unreasonable that he be given a chance to address the Assembly. He, like other Members, would have 10 minutes.

Of course, no pressure will be put on anyone.

**Mr Maskey:** On a point of order, Mr Initial Presiding Officer. Can you explain the basis on which you will allow one of the individual Members to speak? You may have a great interest in what he has to say, but he does not constitute a party, and there are other Members from Upper Bann. How do you propose to cater for them?

**The Initial Presiding Officer:** That is a difficult issue. The Standing Orders were intended to deal only with the first meeting and largely with formal business. This obviously goes beyond formal business. If I call only people nominated by parties, three elected representatives here will have no opportunity to speak, no matter how relevant their ideas. Of course, other representatives from the vicinity will have an opportunity to speak as the nominees of their party Leaders.

This is not an entirely satisfactory ruling, but it is the best I can do for the moment. Perhaps a Standing Orders Committee could draw up more detailed rules to cover such an eventuality.

I want to make it clear that my giving a representative of the three independent Members this opportunity to speak does not mean that I am recognising them as a party or as an official group. To do so would confer upon them other privileges and possibly responsibilities or disadvantages. No precedent is being set; I am simply responding to a difficult situation, using the limited guidance in the Initial Standing Orders.

Returning to the matter of the election of a Deputy Initial Presiding Officer, may I ask if there are any proposals?

There are no proposals, and the time has expired.

## **FIRST MINISTER (DESIGNATE) AND DEPUTY**

**The Initial Presiding Officer:** With regard to the election of the First Minister (Designate) and the



Deputy First Minister (Designate), are there any proposals?

**Mr Taylor:** I beg to move

That the Rt Hon David Trimble MP be First Minister (Designate) and Mr Seamus Mallon MP be Deputy First Minister (Designate).

I am conscious of the position in which we find ourselves as I served in the Northern Ireland Parliament, in the first Assembly, in the Constitutional Convention and in the second Assembly. For me what is called the New Assembly it is the third Assembly. This is an opportunity for all traditions — all sections of the community — to co-operate, to bring Northern Ireland out of the morass that it has been in for the past 30 years, so that we may have a future in which the Province can hold its head high, not only in the United Kingdom but also in Europe and the United States of America.

I am proposing two men who have shown vision and leadership in their political parties. First, there is Mr Trimble, with whom I have co-operated both at university and in Parliament. It is he who has shown the leadership and vision needed in the Ulster Unionist Party in the last few years to bring us to the stage we are at today. Secondly, there is Mr Mallon. Whether I like it or not, he is my Member of Parliament. He is the Deputy Leader of the Social Democratic Labour Party, and I have worked with him for many years. Although we disagree strongly on political objectives, I have always found him to be a good friend — one who, I believe, will work for the good of Northern Ireland.

There are many problems facing us — for instance, the economy, including the need for new industry; infrastructure; and funding of hospitals and schools. We need men who will work for Northern Ireland and will help us to hold our heads high abroad.

**The Initial Presiding Officer:** Is there a Member to second the motion?

**Mr Hume:** I would like very much to second the motion made by Mr Taylor.

The proposal symbolises the fundamental objective of this institution, which is to have the representatives of both sections of the community

working together in the best interests of all. I look forward to seeing that transforming our relationships.

3.45 pm

**The Initial Presiding Officer:** I call on the Rt Hon David Trimble, the nominee for First Minister of this Assembly, to make a statement indicating his acceptance of the nomination.

**Mr Trimble:** I accept.

**The Initial Presiding Officer:** I call on Mr Seamus Mallon, the nominee for Deputy First Minister of this Assembly, to make a statement indicating that the nomination is accepted.

**Mr Mallon:** I accept.

**The Initial Presiding Officer:** Are there any further proposals?

**Mr Adams:** I wish to speak.

**Rev Dr Ian Paisley:** And I wish to speak.

**The Initial Presiding Officer:** Are there any further proposals?

The time for proposals has expired, and two Members have indicated that they wish to speak. Anyone else who wants to take part should indicate his or her intention clearly.

The first Member on my list is Mr Adams.

**Mr Adams:** First of all, let me say that I am very pleased to be here and to see so many other people with us. I mo theanga féin, caithfidh mé a rá go bhfuil lá stairiúil an lá seo, agus le cuidiú Dé beidh muid, agus tá muid, i mo bharúil féin, ag cur ár aidhm stairiúil ar aghaidh, agus as seo amach, is féidir linn — *[Interruption]*

**The Initial Presiding Officer:** Let us have order for the Member speaking.

**Rev Dr Ian Paisley:** If we could understand him we might give him order.

**The Initial Presiding Officer:** May I have order and due respect in the Chamber, please.

**Mr Adams:** Agus as seo amach, agus b'fhéidir má beidh an Dochtúir Paisley ag éisteacht liomsa, beidh a fhios aige faoi ár dteanga féin, agus b'fhéidir duine éiigin ag cur 'manners' ar an fhear sin. Go raibh míle maith agaibh.

The Sinn Féin Ard-Chomhairle met yesterday. We reiterated our support for the Agreement and, in particular because of today's business, for the entitlement of the largest party to the position of First Minister and of the second-largest party to the position of Deputy First Minister. Indeed, we think it might be useful — though this would have to be on a voluntary basis — for the posts to rotate because the difference between the Social Democratic and Labour Party and the Ulster Unionist party, in terms of numbers of Assembly Members, is so narrow.

I want to say a particular word of commendation to Mr Hume, the Leader of the Social Democratic and Labour Party. Everyone who contested the election deserves to be commended, but it was a special election for Nationalism, and people will take much of succour

from the fact that a Nationalist is taking up the position of Deputy First Minister. I wish Mr Mallon well. I have no doubt that he will uphold the entitlements of everyone here, just as I am upholding the entitlements of the Ulster Unionist Party even though its members have yet to uphold the entitlements of the people I represent and others throughout this statelet.

I hope that we are entering a new era. Yesterday the Ard-Chomhairle delegated to the Sinn Féin Assembly team the right to work out tactically how to proceed. We have held discussions among ourselves and have taken some soundings. Bearing in mind remarks made in the past and trying to be far-sighted about what is happening within Unionism, we consider that we might not be doing Mr Trimble any favour by voting for him. Other Unionists would be only too pleased to beat him up. We reiterate our firm support for the Ulster Unionist Party's entitlement in the hope that we will also be upholding our own entitlement. We will abstain when the vote is taken.

Sin é, sin mo mhéid, mar a dúirt mé ar dtús, tá mé go han-sásta a bheith libhse, there is a lot of work to be done.

We must see change. There is a whole agenda of change, to be achieved not just through this institution but also through the cross-border and other bodies. One thinks in particular of the equality agenda and other areas where progress is needed.

We meet here on our own terms — Unionists, from whichever party, and Republicans alike. It is only by meeting like this that we can work out a shared future for all the people of this island. If the adults in the Chamber could stop thinking about themselves and their particular party niches and start thinking about our children and the new millennium and about the five million people on an island as small as this one, surely we could shape a future that we could all be proud of and have ownership of.

I wish everyone well. In particular, I wish the two nominees well in their new posts.

Go raibh míle maith agaibh.

**Rev Dr Ian Paisley:** Today we are being asked to approve the appointment of two people. Unionists know where Mr Mallon stands and how he intends to carry out his policies. The other person is not the nominee of Unionists; he is the nominee of the Ulster Unionist Party, as it now calls itself, which does not represent a majority in the Assembly, as is quite clear from the Benches that are not occupied by Ulster Unionist Members. Mr Adams will not vote for Mr Mallon or Mr Trimble, but before the world he congratulated Mr Mallon on his nomination.

On behalf of the Unionist people whom I represent I, along with others in the Chamber of like mind and the Independents, must put a question to the nominee for First Minister. It is about his policy on decommissioning. In this Chamber during the first part of the talks he told us that he would take a very firm stand on decommissioning. In fact, in one issue of the 'Belfast Telegraph' he was reported as having said that he would bring the talks down if decommissioning did not take place. That did not happen, and now we have the situation we are in today.

In an answer to the Leader of the Opposition in the House of Commons the Prime Minister stated that no terrorist or anyone fronting a terrorist movement or purporting to speak on behalf of terrorists could enter a new Government of Northern Ireland. The House of Commons Hansard was changed, though we have been told by the Editor of Debates there that the meaning is the same. The answer that the Prime Minister gave was

"Yes, there cannot be those who do not decommission their weapons in any future Government of Northern Ireland."

And he added

"there must be substantial decommissioning."

Mr Mallon, with whom I sit in the House of Commons, made it clear recently that that is not going to happen, so we know exactly where he stands.

I have read carefully the manifesto of the right hon Gentleman's party. It hints — indeed, many have said that it states — that he will not sit in any Cabinet with those who are in the league picked out by the Prime Minister, that there must first be substantial decommissioning.

What is the right hon Gentleman's policy on that issue? If he cannot tell us, all those Members who told people on the doorsteps that they would not sit down with Sinn Féin/IRA or anyone else until there had been substantial decommissioning will have to search their consciences as they vote today. We on these Benches would be failing in our duty if we did not make this matter crystal clear. Where does the proposed First Minister stand on this very important issue?

Mr Adams talked of people. I am thinking today of the people who were murdered by his cohorts, the families that were smashed, the people who were rent by sorrow, the people turned into vegetables by IRA violence. They deserve an answer from the Leader of the Ulster Unionist Party. What is his real policy on this matter?

It has been said that when he becomes First Minister he will talk to everybody because his position will be like that of the Prime Minister. Will those who vote for him today be enabling him to do what he said he would never do? These are the issues that Members must bear

in mind as they cast their votes. Unfortunately the system does not allow us to vote for the nominees separately. The system was carefully worked out by those who have devised every aspect of this very peculiar set-up.

A member of the Progressive Unionist Party castigated me, saying that I had broken my word by coming here today. I want to nail that falsehood. I always said that I would not sit down in the talks if Sinn Fein joined them without decommissioning, and I kept my promise to the electorate. The Unionist people want to know what Mr Trimble's policy is. He has a duty to tell us, for he is going to be the First Minister of this country. Does he agree with the Prime Minister that Sinn Fein people cannot be in any Government of Northern Ireland until there has been substantial decommissioning?

**Mr McCartney:** I am sure everyone here welcomes the ecumenical remarks of the Leader of Sinn Fein about the peaceful future that he envisages the two sides of this community sharing as they march forward, perhaps into the sunset rather than the sunrise.

4.00 pm

What does Mr Adams offer? His party — Sinn Fein — has been described by several Prime Ministers of the United Kingdom and a number of Secretaries of State for Northern Ireland as being inextricably linked to the Provisional IRA. "Inextricably linked" means that they cannot be separated. If they cannot be separated, what criteria are to be applied to determine whether, in this Assembly, the real intention is to work the democratic process or whether, if the democratic process fails to deliver the political objectives for which they contend, they will go back — as one of their elected Members said — to what they do best?

I welcome what Mr Adams said, and I would be prepared to work and share the responsibility for the future well-being of Northern Ireland if I could believe it — if I had some evidence that it was soundly based, sincerely meant. But he is a member of a party that insists — through its alter ego, the Provisional IRA — that it will retain all its weapons. At the ardfheis which endorsed that party's acceptance of this Agreement, delegate after delegate stated that it would move forward on the twin tracks of participating in the democratic process and retaining its military capacity. It is no coincidence that many of those who are represented here today as democrats served their apprenticeship in the military wing of that combination.

**Mr Farren:** On a point of order, Mr Initial Presiding Officer. Is Mr McCartney speaking to the matter before the Assembly.

**The Initial Presiding Officer:** I hesitate to rule robustly on such issues at this juncture, but let me be clear about the time allocated to each Member — 10 minutes.

**Mr Adams:** On a point of order, Mr Initial Presiding Officer. In the interests of good manners and good relationships —

**Several Members:** Stand up.

**Mr Adams:** Sorry: I thought I was standing up. I am certainly standing up for the rights of the people who sent me here.

Should not each party be referred to by its given title? I undertake to describe the United Kingdom Unionists as the United Kingdom Unionists, the Democratic Unionist Party as the Democratic Unionist Party, and so on, and my party should be referred to as Sinn Fein.

**The Initial Presiding Officer:** It is clear that a number of issues relating to Standing Orders will have to be addressed. We need a Committee to decide, for instance, how Members should be described and how they should address each other. It would be invidious for me, as Initial Presiding Officer, to rule on issues which go beyond the current Standing Orders.

**Mr Adams:** Fair enough.

**Mr McCartney:** With regard to the issues put to the Leader of the Ulster Unionist Party by the Leader of the Democratic Unionist Party, what is the policy of the Ulster Unionists on sitting down with Sinn Fein, which, according to the Prime Minister, is inextricably linked with Provisional IRA, while the Provisional IRA declares that it will retain all its weaponry? All the Members of this Assembly want Mr Trimble to answer that key question — particularly members of his own party. If he shares the views of the Prime Minister can he give an unequivocal assurance to all those within the broader Unionist family that he will not sit down in government with members of a party that is inextricably linked with a listed terrorist organisation which intends to retain all its weaponry?

Those who are to vote on this composite motion are entitled to know what they are voting for. The Social Democratic and Labour Party, through its Leader, Mr Hume, and its Deputy Leader, Mr Mallon, has honourably and honestly made its position clear. For them decommissioning is no longer an issue, and they have no qualms whatever about sitting down in government with the representatives of Sinn Fein.

Every Unionist here is entitled to know the proposed First Minister's views on that issue, for upon them may well depend how Members vote. But I should make it clear that as this is a composite motion they will in any case be voting for someone, either the First Minister or



the Deputy First Minister, who is prepared to sit down and work with the representatives of Sinn Féin while the IRA remains fully armed.

I welcome all the parties that have been democratically elected to the Assembly, and I am willing to work with them for the economic benefit, health and environmental advancement of all citizens. My policy has always been that every citizen in Northern Ireland is entitled to equality of esteem. In every aspect of life, including social and educational opportunity and justice, everyone should be treated fairly. I am willing to work for that, but I am not prepared — nor is my party — to work with those who want to enter the democratic process and at the same time remain inextricably linked to people who have been responsible for more than 2,000 deaths since 1969 and who retain the means to continue with that process.

Every Member, particularly in the Ulster Unionist Party, must search his conscience to determine whether he is prepared to have his Leader sit down with members of Sinn Féin while the IRA remains fully armed and whether he is prepared to vote for Mr Mallon, who has already declared that to be his position. Members have a duty not only to their parties but also to those who elected them and to their consciences. I pray that they will exercise the latter.

**Mr Neeson:** May I congratulate David Trimble of the Ulster Unionist Party and Seamus Mallon of the Social Democratic and Labour Party on being nominated for the positions of First Minister (Designate) and Deputy First Minister (Designate).

For nearly 30 years my party and I have believed that the real solution to the difficulties that we in Northern Ireland face is the establishment of a power-sharing Assembly, and this is the historic first day of such a body. I am also pleased to see Dr Paisley and his party and Mr McCartney and his party in the Chamber for they are a very important part of the political solution to our problems. I hope that they, along with everyone else here, despite differences on some fundamental issues, will attach the greatest importance to making the Assembly work.

I sincerely hope that what is happening here today is a new dawn for Northern Ireland, a time of change. If the politicians give a lead and earn the respect of everyone, we can take a major step forward.

**Mrs de Brún:** Ar eagla nach bhfuil an tUasal McCartney s soiléir an méid atá páirtí s' againne a rá ó thaobh an post den Chéad-Aire agus LeasChéad-aire agus LeasChéad-Aire, is léir go bhfuilimi anseo le comhoibriú le hionadaithe na páirtithe eile ins an Tionól seo inniu. Céim chun tosaigh atá sa chruinniú, tá a lán céimeanna eile le glacadh go fóill. Tá Sinn Féin

anseo de thairbhe na ndaoine a vótáil ar ár son ins an toghchán agus is amhlaidh an cás do na páirtithe eile.

Is iad an Ulster Unionist Party agus an Social Democratic and Labour Party an dá pháirtí is mó sa Tionól, agus is ceart agus is cóir gomveidh an seans ago ionadaithe ó páirththe s' bheith ins an phost don Chéad-aire agus don LeasChéad-Aire. Tá cearta ag páirtí s'againn, tá cearta ag páirtithe eile. Má théimid uilig ar aghaidh ar an bhonn seo, thig linn linn an institiúid seo, agus institiúidí eile, a thógáil le chéile, chomh maith le hamchlár le hathrú bunúsach a chur i bhfeidhm.

In case Mr McCartney is not sure about Sinn Féin's position as regards the First Minister and the Deputy First Minister, let me make it very clear that we are here to work with representatives of the other parties. Today's meeting is a step in the right direction, but we have many more steps to take.

Sinn Féin is here because of the mandate it received, as are the other parties. As the Ulster Unionist Party and the Social Democratic and Labour Party are the largest and second-largest groups, in terms of numbers of votes, it is right that they should put forward candidates for these two positions. The Leader of my party has clearly explained our voting intentions.

Sinn Féin, like the other parties, has rights. If we proceed on that basis we can build on this and all the other institutions in accordance with the vital timetable for fundamental change which we all signalled in the Good Friday Agreement.

**Mr P Robinson:** Mrs de Brún has said that she considers today's proceedings a step in the right direction. I do not think that any Unionist is unclear about the direction in which Sinn Féin/IRA want to take this province. Their attitude has been clear. It can be seen in the tombstones around this Province and in the violence that they have presided over as representatives of armed terror. It is a single-minded goal: to take Northern Ireland out of its rightful place within the United Kingdom and into a united Ireland. They are entitled politically to hold that view, but they are not entitled militarily realise it.

The proposal before the Assembly is a joint one. The two people concerned are expected to work in partnership. It is therefore not good enough simply to put two block votes together and push the proposal through. The Assembly is required to use its judgement to determine whether the nominees are capable of working in harness — pulling together, not against each other. The only way we can determine whether they are capable of that is to look at their policies — what they have said they intend to do. One of their chief jobs will be to formulate the programme for a future Government of Northern Ireland.

The complexion of the Executive is already determined. During the referendum and election campaigns the Prime Minister of the United Kingdom made it clear that those who had not substantially decommissioned their illegal weaponry would be barred from the Executive. He said so in Parliament on 6 May and in Northern Ireland on a number of occasions when he was attempting to increase the size of the “Yes” vote. He said “We cannot have a situation in which people who have not given up the path of violence take office in the Northern Ireland Government.”

4.15 pm

On another occasion he indicated

“People need to know that if they are sitting down in the room of an Executive of the Northern Ireland Assembly with other people, they are not sitting there with the guns under the table or outside the door. That cannot happen, and we must make that abundantly clear.”

That view was enthusiastically echoed by the leader of the Ulster Unionist Party, Mr Trimble. He is on record as having said that Ulster Unionists could not tolerate the arrival in office of unreconstructed terrorists. More precisely, the Ulster Unionist Party has indicated that it

“will not serve in the Executive Committee with any party which is not genuinely committed to peace.”

It says

“Decommissioning alone, of course, is not enough. Paramilitary organisations must stand down their units, and the IRA must indicate that the war is over.”

In an interview with the ‘News Letter’ of 9 May Mr Trimble said

“We have the capacity ourselves to exclude Sinn Féin from office if we so wish because we are going to have a majority in the Assembly. That is clearly going to be the case. Why should people worry what an Assembly will do if they are going to have the majority in it? The Agreement itself is absolutely clear that only people who have a genuine commitment to peaceful means in a democratic process can accept office. Those words were fudged in the past, but they were fudged by Governments. It is not going to be a question for the Government in the future; it is going to be a question for the people of Northern Ireland and their elected representatives.”

As he has said that he does not like fudge, we will be looking for the clearest possible statement indicating whether he is prepared to sit down, even in shadow, with the unreconstructed terrorists about whom he spoke — those who have not decommissioned their illegal weaponry.

His partner has made his position clear. In the House of Commons Mr Mallon said that decommissioning could not be a prerequisite to being part of the Government of Northern Ireland. He said that there were to be no such preconditions. So, on the most important and fundamental issue that will first face

them, the First Minister and his deputy are at odds publicly. Before the Assembly votes on this matter it is entitled to know if it is Mr Trimble’s version of the Agreement or Mr Mallon’s that those two gentlemen will follow.

**Mr Adams:** May I put a question?

**The Initial Presiding Officer:** To the Chair?

**Mr Adams:** No — to Mr Robinson.

**The Initial Presiding Officer:** Mr Robinson has now sat down.

**Mr Adams:** Perhaps another member of his party would care to take this up.

**The Initial Presiding Officer:** If a member of that party speaks, you may ask whether he is prepared to take a question.

**Mr Adams:** It concerns their attitude to Ulster Resistance and its weapons.

**The Initial Presiding Officer:** It is not possible to put a question at this point, but later a Member may be prepared to take one.

**Mr C Wilson:** I believe that a majority of those assembled here and those viewing the proceedings in their homes dearly want this day to be the beginning of a new chapter in the history of Northern Ireland. They deserve the restoration of democracy — accountable government by elected representatives, the rule of law and a healing of divisions.

Northern Ireland is truly at a crossroads. We face a major decision: we can embark upon the road that leads to parliamentary law, or we can continue with paramilitary law. We can decide to engage in the defeat of terrorism or to continue with the current programme of the United Kingdom’s Parliament and Government, which is appeasement of and final capitulation to terrorism.

In memory of almost 3,000 people — men, women and children — who have lost their lives and of tens of thousands of families who have suffered at the hands of terrorists, I pledge myself to use whatever channels are available to me and my party to ensure the defeat of terrorism and appropriate retribution for those who have committed these crimes.

I was elected to this body as a United Kingdom Unionist on a manifesto and a pledge. I would like briefly to read that pledge because it is important that it be on the record:

“We, the United Pro-Union people of Northern Ireland, declare our resolute and determined opposition to the Belfast Agreement.

We reject the abandonment of the United Kingdom’s sovereignty over Northern Ireland in exchange for an amendment of the Irish



Constitution that renders Unionists a mere tradition in the Irish nation.

We refuse a Northern Ireland Assembly designed to feed power to All-Ireland institutions and to place in government over our people the delegates of terrorists who remain fully armed.

We recoil with moral contempt from an Agreement which releases back into our community those who have murdered and maimed the innocent, while the Royal Ulster Constabulary, who have protected the peaceful and law-abiding, are to be demoralised and disarmed.

We repudiate all-Ireland bodies with executive powers and expanding authority designed to develop into a factually United Ireland.

We demand, as British citizens, equality of treatment, the protection of our lives, persons and property, and the return of a democratic and accountable government, free from the domination of violent political terrorism, and in which all citizens have equal rights."

It has been extremely difficult for me to sit with the apologists for the murderers of countless people in Northern Ireland, unrepentant and still fully armed.

I come now to the proposal for the election of Mr Trimble and Mr Mallon. At this stage in its history Ulster needs a leader — someone to lead the people and this Assembly, someone who has strength of character and who says what he means and mean what he says.

Mr Trimble has been proposed for the position of First Minister. On 7 June 1996 Mr Trimble vowed to the Unionist community that he would stop the talks if decommissioning of arms did not start right away. But he reneged on that pledge, as he has done so often. United Kingdom Unionists cannot support someone who makes election pledges that identify him with the Orange Order but as the marching season approaches, reverts to type.

I do not believe that it is possible for two people to walk together unless they agree. How can anyone reasonably propose Mr Trimble and Mr Mallon unless, of course, Mr Trimble is prepared to work to Mr Mallon's agenda? We are quite clear about Mr Mallon's agenda — a united Ireland. Mr Mallon has no difficulty in sitting down with the representatives of armed terror. He and his party Leader, Mr Hume, have shown themselves to be extremely hypocritical. Mr Hume and Mr Dick Spring said very clearly that they would not allow the representatives of armed terror to come into the process for whatever benefits they could get. They said that there could be no guns under the table, on the table or outside the door.

In front of us here today, in the persons of Mr Adams and his cohorts, we have apologists for Sinn Fein/IRA armed terror. It is a shame that such people have been admitted to the process. I shall use all my powers of persuasion to ensure that fellow Unionists do not accept a situation in which these people are part and parcel of the Government of Northern Ireland before they have

dismantled their machinery of war and destruction, and I look forward to the day when Unionists will stand united on that.

**Mr S Wilson:** A number of important issues have been raised today — issues from which we must not run away. My party leader issued an important challenge to the leader of the Ulster Unionist Party, who is seeking the position of First Minister. It is a challenge to which he must respond.

Mr Trimble has a severe credibility problem in the Unionist community. It predates his sitting down with Sinn Fein in the Stormont talks a year ago, but it gathered momentum when, as has been pointed out, he broke certain promises in the party's manifesto. During the referendum campaign he made many promises, pledges and statements which called his credibility into question.

I hope that before the vote Mr Trimble will make clear where he stands on the issue of sitting in government with the representatives of IRA/Sinn Fein. He cannot run away from the question, for it is one to which the Democratic Unionists, the United Kingdom Unionists and many members of his own party demand an answer.

Although the Standing Orders do not specify words that we are not allowed to use, I am sure that we may not accuse Members of telling lies. I would not like to be the first person to be thrown out by you, Mr Initial Presiding Officer, but I have to say that over the last six weeks Mr Trimble's credibility has decreased so much that were he Pinocchio he could poke me with his nose from where he is sitting.

4.30 pm

Then there are the weasel words of the leader of IRA/Sinn Fein. But I am well used to such words for I have sat for 10 years in Belfast City Council, where his colleagues claim to be democrats while justifying the economic war which has destroyed the commercial heart of Belfast. They even threatened Ministers who attended the Council and in more recent meetings have defended punishment beatings.

IRA/Sinn Fein Members talk about taking steps into a new future. They tell us to think of the people — the very people they have been shooting and bombing for 30 years. Many who sit on the Benches opposite were involved in such activities not just at a distance but directly, but we have heard not one word of apology. They have given no indication that they are sorry, no indication of acceptance that what they did was wrong. Indeed, they arrogantly portray their position as having been justified. That is why they are here.

And in case they have to switch back into the other mode they hold on to the weapons of terror. Can people

who have been the victims for the last 30 years share the reins of government with those who have been involved in such actions? That is the crunch question.

As Mr McCartney said, the fundamental weakness of the whole arrangement is the assumption that somehow the leader of the Ulster Unionist Party and the representatives of the Social Democratic and Labour Party — people whose positions, at least on paper, on how to deal with those who are involved in terrorism are diametrically opposed — will be able to work in tandem.

Much has been made of the eloquence demonstrated by Mr Hume when he said that those who had guns on the table, under the table or outside the doors should not be allowed to take part. Of course, as we all expected, Mr Hume and his party, for their own reasons, have completely renounced that position. Whether you have guns in your pockets, on your shoulder, on the table, under the table, outside the door or anywhere else, you are welcome to take part.

I do not believe that this democratic institution can be all-embracing. There is a fundamental question for the leader of the Ulster Unionist Party: is he, despite all the promises he has given, prepared to operate a warped system which rewards those who have killed, maimed and bombed their way into this House and who retain the right to do so if — to use the words of Mrs de Brún — the fundamental change that they demand does not take place?

**Mr M McGuinness:** Dia dhaoibh a chairde.

I want first to wish Mr Trimble and Mr Mallon well in what will obviously be an onerous responsibility for them both over the coming weeks, months and years.

Having listened to the contributions of the United Kingdom Unionist Party and the Democratic Unionist Party, people will perhaps have a better understanding of the position that we have adopted for this election. It is a very good day for us to be here together as the elected representatives of all the people of this part of the island. It is particularly important to us to meet people like Mr Cedric Wilson, who for years stood in splendid isolation at the front of Parliament Buildings waving a placard as we moved back and forth attempting to negotiate on behalf of the people who had given us political responsibility. It is also very good to come across someone like Mr Sammy Wilson, whom I have never met, and it is great to see him today with his clothes on.

Mr McCartney laughed and smirked as someone on this side of the House spoke Irish. What he said suggested that he is very concerned about equality and justice. I certainly hope that he is. However, he looked very intently at the Members behind Mr Trimble, as if to intimidate them.

**Mr McCartney:** The Member should not talk about intimidation.

**Mr M McGuinness:** I hope that he will not manage to intimidate anybody in this Chamber. He certainly will not intimidate the representatives of Sinn Féin, for we are here on the back of a very substantial electoral mandate. We are here on behalf of people who have been discriminated against since the foundation of the Northern state. We are here on behalf of people who want an end to inequality, discrimination, domination and injustice.

When I hear some people interpreting the responsibilities that certain aspects of the Good Friday Agreement lay on Mr Trimble I wonder whether they are referring to the document that I have read in recent weeks. Mr Peter Robinson can quote words spoken by the British Prime Minister in the House of Commons until he is blue in the face. He can quote from 'The Guardian', 'The Daily Telegraph', 'The Sunday Times' or any other paper, but the only piece of paper which counts here is the Good Friday Agreement. Nowhere in that document is there anything which denies representatives of Sinn Féin places on the executive body — nowhere. Nowhere is there a linkage between decommissioning and the issue of prisoners.

The more we listen to these people the more clearly we realise what their agenda is. They refused to participate in the negotiations, but now they come trundling into this Chamber because they are afraid that they will be left behind. I am afraid that they have been left behind, for if the Ulster Unionist Party keeps its nerve all the people of this island will have a bright future. As elected representatives we have a responsibility to give people hope for themselves and their children.

We have been through a difficult process over the last four or five years. Much work has been done, and many people on the ground appreciate the efforts of those who agreed the Good Friday document. People are watching what is happening here. The will of the more than 70% of people who voted for the Good Friday document brought Mr Paisley and Mr McCartney to this Chamber. As seasoned politicians, those Members know that there is a real danger of their being left behind. I welcome them to this forum even though I realise that they will try to prevent or minimise change — indeed, to drag us all back into the Dark Ages. *[Interruption]*

**The Initial Presiding Officer:** Do you wish to take a point of information, Mr McGuinness?

**Mr M McGuinness:** No. They have spoken long enough.

They have to face up to the reality that there is going to be change, that the change will be fundamental, that

they cannot prevent our involvement in this body, or the Executive, that they cannot prevent the establishment of all-Ireland bodies with executive powers, that they cannot prevent the equality agenda, that they cannot prevent promotion of the Irish language, that they cannot prevent the creation of a new police service and that they cannot prevent the release of political prisoners. That is the reality.

What we are charged with is to begin the process. But this is only the start. People will judge us by what happens over the coming days, weeks and months. As I said to Mr Trimble at Lancaster House in the aftermath of the beginning of this year when Catholics were being killed right, left and centre in the North of Ireland, there is a responsibility on every elected representative to show goodwill and do everything in his power to prevent a return to what has happened in the past. I am acutely aware of my responsibility.

There is also a responsibility on Mr McCartney, who is always telling us that he is an intelligent man.

**Mr McCartney:** I do not.

**Mr M McGuinness:** Yes, he does all the time.

We want him to be a smart man. We want him to recognise that there is a future for our children. Whatever else he may be, he must be a democrat and accept reality.

*[Remarks made at this point may be subject to legal proceedings and have therefore been omitted.]*

Sinn Féin has arrived in this building, and Unionists have been compelled by the votes of the people to come. Even in opposition, Unionist Members will be part of the change in this island.

Go raibh míle maith agaibh.

**Mr Roche:** Mr McGuinness has done an enormous service to the pro-Union electorate by laying bare what he perceives to be the reality of the agreement which Mr Trimble and other Unionist leaders endorsed.

The agreement has been well described as a mechanism for transition to a united Ireland. There is no doubt that in it Mr Trimble conceded the fundamental principles of Irish Nationalism. The document declares that Northern Ireland is a part of the United Kingdom, but the concessions to the principles of Nationalism made by Mr Trimble render that state of affairs entirely illegitimate. Then he agreed to two crucial institutions — the North/South Ministerial Council and the Intergovernmental Conference, which are designed to bring about conditions in which Unionist agreement to a united Ireland will be a mere formality.

It seems, on the basis of the proposal made to us today by Mr Taylor, that the Ulster Unionist Party is

about to make a further concession — one that is even more fundamental than those to Irish Nationalists. Apparently Ulster Unionists are about to concede the principles of democracy and the integrity of the rule of law.

Mr Trimble has been proposed for the position of First Minister, with Mr Mallon as his deputy. As has been said, the position of Mr Mallon is entirely clear: he is committed to a united Ireland, and he does not require Sinn Féin/IRA to hand in any arms — even rusty ones. That suggests that the Ulster Unionist Party too does not require any decommissioning, now or in the future.

Mr Trimble must make the situation absolutely clear to the pro-Union electorate if he is prepared to sit down in an Executive governing Northern Ireland without first requiring decommissioning and to corrupt the fundamental principles of democracy and the rule of law by doing so. There should be substantial decommissioning of the IRA terrorist arsenal before the Executive begins. That is the fundamental issue that Mr Trimble must address today.

4.45 pm

**Mr Dodds:** It was very interesting to hear a representative of IRA/Sinn Féin chastising Mr McCartney and others about the equality agenda and the Irish language. Such people make much of the Irish language, but in other forums, such as Belfast City Council, they never mention it. Typically, they are playing to the cameras and to the Gallery. Of course, as has been pointed out, many Sinn Féin Members do not understand Irish. *[Interruption]*

**The Initial Presiding Officer:** Mr Maskey wishes to make a point of order.

**Mr Dodds:** I hope it is a point of order.

**The Initial Presiding Officer:** I will judge that when I hear it.

**Mr Maskey:** I want to make a point for Mr Dodds's information. The Irish language has been used by Sinn Féin members for years — 15 years in Belfast City Council and other councils — and it will continue to be used by them.

**The Initial Presiding Officer:** I made it clear at the beginning that while I am in the Chair Members may speak in Irish, Ulster-Scots or any other language so long as they translate into English. That request has been met by those speaking in Irish. *[Interruption]* Dr Paisley may well be able to regale us in Latin or Greek, but he will have to translate, for I am not familiar with such languages.

**Mr Dodds:** Are you ruling that that was not a point of order?



**The Initial Presiding Officer:** I have taken a number of false points of order today.

**Mr Dodds:** Mr Maskey may be trying to cover his embarrassment in front of his party, but that does not alter the facts that I have outlined. They are on the record, as you, Sir, as a former member of Belfast City Council, will know.

The issues have been laid fairly and squarely before the House. We are being asked to vote on a package. We know where Mr Mallon and the Social Democratic and Labour Party stand, but we have yet to hear where the Ulster Unionist Party's nominee for the post of First Minister stands.

Will this proposal be put to the vote today without an explanation of Mr Trimble's position or, indeed, of Mr Mallon's? It is especially important that we hear from Mr Trimble in view of policies that he has enunciated and then reneged on.

Is he going to treat the Assembly with contempt? Will he refuse to answer questions about the most important issue before the House today? Is he going to remain silent with regard to the crucial question (whether he is prepared as First Minister to sit in government with unrepentant supporters of murder and violence — people, who, in the words of the Prime Minister, are inextricably linked to the IRA)?

I say to Mr Trimble that it is through us, as elected representatives of the people of Northern Ireland, that those people should have an answer. It is not good enough to fudge this issue or to remain silent. Mr Trimble must present himself and explain his position. That is the purpose of this debate, and it would be amazing if he did not tell us where he stands.

Reference has been made to the Agreement that was signed and to the pledges that were made by the Prime Minister. It was not Mr Trimble or the other pro-Agreement Unionists who won the "Yes" vote; it was Tony Blair. The Prime Minister was never out of Northern Ireland during the last days of the campaign, and he managed to persuade people on the Unionist side.

Of course, he did not need to persuade anybody on the Nationalist or Republican side; they would have had to be certifiably insane not to vote "Yes" given the concessions to IRA/Sinn Féin and Nationalism. But he had a real job persuading the Unionist people. How did he do it? Through hand-written pledges on a series of issues — prisoners, decommissioning and Government positions for IRA/Sinn Féin.

It is time for those who made the pledges (the British Government and Tony Blair) and those who sold them, those who went around saying "Yes, we agree with those pledges" (the Ulster Unionist Party and

Mr Trimble) to come clean and say what they will do if this proposal goes through and Mr Trimble becomes the First Minister (Designate). It is pay-up time. Mr Trimble must answer these questions before the vote is taken. He cannot fudge yet again. Having said one thing or remained silent before the election, he cannot take an entirely different course now.

We in the Democratic Unionist Party are in this House not because we are afraid of anything or anybody but because we were elected in substantial numbers by the people of Northern Ireland. We made it clear that we would never negotiate with IRA/Sinn Féin, and we have not gone back on our pledge. But we have always said in councils and elsewhere that we would never run away from any elected body, that we would confront those who want to take us down a united-Ireland route.

Sinn Féin Member Mr Adams said that he was glad to see us. He welcomed everybody. I think of a Member of a previous Assembly — Mr Edgar Graham, who was murdered by the IRA. Although not a member of the Democratic Unionist Party, Mr Graham was a close friend of mine. People who are lecturing us today supported, condoned, defended and gloated over that murder and the murder of other elected representatives.

But we know their pedigree. We remember what they have done, and we note that they have yet to apologise or to undertake any sort of redress, such as decommissioning. They will not say that the war is over, yet they demand all the benefits of the agreement. Let Mr Trimble tell us whether they will reap those benefits.

**Mr Durkan:** In seconding the nomination of Mr Trimble and Mr Mallon for the posts of First Minister (Designate) and Deputy First Minister (Designate), Mr Hume indicated the strength of the Social Democratic and Labour Party's confidence in Seamus Mallon.

Mr Mallon and Mr Trimble have a track record in relation to the agreement that provided for this body and other institutions to be set up. They have shown that they can work together despite the many difficulties that we all make for each other and the differences that we all brought into this Chamber throughout the negotiations.

Seamus Mallon and David Trimble brought their differences, but they were able to work together and with others from all the parties that wanted to find ways and means of creating the situation in which we find ourselves today.

Exchanges such as those we have witnessed here — both direct and indirect — were written off as impossible by the decriers of the talks process. The people who walked away from the talks are also

decrying this nomination. It is because of their track record that we are eager to support it.

The First Minister and the Deputy First Minister will shoulder onerous responsibilities. It is clear that some people intend to make life for them and others in this Chamber as difficult as they can. The First and Deputy First Ministers will not be in a position to create difficulties, but they will have to resolve many of those generated by others.

We pledge our support for them as they work to ensure the full implementation of all aspects of the Agreement — in particular, those in which they have a central, direct role. There are some matters — prisoner releases, the review of policing, and decommissioning, for example — in which they do not have such a role. Neither is there a direct role for the Executive. Thus much of the debate so far in relation to the nomination has been about matters that are completely outside of the remit of the posts we are discussing.

Several Members have referred to Seamus Mallon's position on decommissioning. One said that he had made his position clear: he was no longer interested in decommissioning. We are nominating Seamus Mallon for Deputy First Minister because he is totally committed to ensuring that agreement, including accord on the six paragraphs on decommissioning, will be achieved. We want to see decommissioning taking place, and Seamus Mallon wants it to be achieved within the timescale laid down in the agreement.

The agreement refers to a workable basis for achieving the decommissioning of illegally held arms. But no workable basis will be achieved through the politics of "Stand and deliver!". That was tried and it failed, and if it is tried again it will fail again. The agreement offers a different context in which the decommissioning that is so important to people can be realised.

5.00 pm

The posts in question were deliberately created by those of us who took part in the negotiations. They are intended to be at the heart of the new arrangements in the North and to have a pivotal role in the relationship between those arrangements, the arrangements in the South and the East/West arrangements. Much rests on the nomination. It is important that that be recognised, but so far the debate has concentrated on all sorts of extraneous matters.

It will not be easy for Mr Mallon and Mr Trimble. There will be differences between them, as in any similar situation, but they have shown a capacity to overcome differences, not just between themselves but also between a wide range of parties and individuals.

We look forward to approval of their nomination by the necessary majority, to the Assembly's working under their leadership, and to their co-operating with all parties. They have a duty to ensure partnership in the Administration and in dealings with the Assembly. They have particular duties with regard to the North/South and East/West arrangements.

**Mr Paisley Jnr:** Will the Member give way?

**Mr Durkan:** No.

As Mr Hume said, this joint nomination represents the essence of the Good Friday Agreement. We are talking about making decisions with each other rather than making the demands of each other that have characterised so much of this debate. All of this is not just about reconciliation between Unionist and Nationalist, non-Unionist and non-Nationalist; the SDLP — Seamus Mallon in particular — is committed to achieving reconciliation and co-operation between those who voted "Yes" and those who voted "No".

It is in that spirit that we commend the nomination. We pledge our support, not just today but also in the future, and we ask all parties, whether abstaining, voting for or voting against, to co-operate with the First Minister (Designate) and the Deputy First Minister (Designate) as they work to bring to fruition the arrangements for which the agreement provides.

**Mr Roche:** Will the Member take a point?

**The Initial Presiding Officer:** He has finished.

**Mr Campbell:** I would like at the outset to welcome Social Democratic and Labour Party Members back to the place they vacated so ignominiously last year. I refer, of course, to the Forum. They are anxious to welcome us; we can reciprocate by welcoming them back to the place that they abandoned many months ago.

Many people in Northern Ireland, whether filled with foreboding about the outworking of this agreement or in the "Yes" camp, might have looked upon these proceedings as presenting a slight possibility of our overcoming problems and working for the greater good, but it is apparent from the language used by the political wing of the Provisional IRA that they are determined that it should not be so.

Mr Trimble has many questions to answer — questions that have been posed several times since he was first mentioned as a possible First Minister. So far he has declined to answer them. Is he prepared to sit in an Executive, in shadow or substantial form, while the fully armed military wing of an organisation that will be there remains functional and ready to return to killing? Is he prepared to sit in Cabinet with an organisation whose military wing still engages in punishment beatings on the streets of Northern Ireland? Or is he



prepared to demand substantial decommissioning before such a step could be contemplated, as the Prime Minister said he would? The Assembly and — even more important — the people of Northern Ireland need answers to those questions.

The people do want change. It is entirely wrong for anybody to say that my party is against change. But what we want is change for the better — change for the good of the community, which for almost three decades has been subjected to the terror and murder of the military colleagues of people who now sit here. Throughout Northern Ireland our community has been systematically discriminated against in jobs, in the arts and in funding for sporting organisations. It goes on even as I speak.

We are for change, but it is change in a direction that many in the House do not wish to contemplate. But we shall no doubt come to that in the future. The fundamental point, which Mr Trimble needs to address, is whether he is prepared to enter government as First Minister with Sinn Féin/IRA and with Mr Mallon as his deputy while a fully armed military wing remains operational in Northern Ireland.

**The Initial Presiding Officer:** The two candidates themselves have not had an opportunity to address any of these questions, and the circumstances are somewhat unusual. They now have a chance to respond.

**Mr Mallon:** May I first thank the Members who proposed and who seconded my election for their very kind and generous words — all true. *[Laughter]* I thank them sincerely, and I thank all the other Members who have spoken in the debate. I say so especially because, whatever our difficulties, whatever the animosities — and of those there are plenty — there is one immutable fact that we all have to confront: if we are to be serious about every political philosophy, we will have to work out a means of living together here in Northern Ireland on a basis of agreement, of consent, of equality, of justice.

I believe that there is a will to do so. Every political party, whatever its position, can play a full role in the Assembly, in the new North/South bodies, in the Council of the Isles and abroad for the benefit of the people on this island.

I welcome the anticipated appointment of David Trimble as First Minister. I say to Unionism that there always comes a time when a man must take responsibility for his people and for the country in which he lives. In my view Mr Trimble has done that with courage, dignity and integrity and in a way that, as we proceed, will inspire confidence among the Nationalist community.

Today I have a great sense of humility — not a virtue with which I am normally imbued. Anybody setting out

on such a task must do so in a spirit of humility. I also have an awesome sense of responsibility, not just as Deputy First Minister to Mr David Trimble as First Minister but also to my own party, which I thank most sincerely for its confidence — especially the party leader, who has done so much, against the odds, to secure the process and bring it to this point. The well-being of all the people on this island is at stake — their happiness and safety and their role in the new society that we want to build.

Let me answer one of the questions that have been asked. I stand by the agreement that we all signed on Good Friday — not just the bits I like but also the bits I do not like. I stand by my commitment to an entirely peaceful process. I stand by the commitment to ensure that the new institutions will work, free of violence and the threat of violence. I stand by my commitment and my party's commitment to work with all the people of Northern Ireland, for the good of all the people of the North of Ireland.

With regard to decommissioning, prisoners, policing, justice, equality and the institutions, I stand by the word given by the SDLP when the agreement was signed. I believe that the operation of this body will ensure the attainment of all these goals, including decommissioning.

There will be difficulties, but we all can help each other. My difficulties are David Trimble's, and David Trimble's are mine. They are also the difficulties of the United Kingdom Unionist Party, the Democratic Unionist Party, the Women's Coalition and the Progressive Unionist Party, for we all share one thing — our vulnerability. There is not a Member, male or female, in this House who is not vulnerable.

We also share the conviction that now, at the end of the century, we are going to change life in the North of Ireland. Together we will tackle the problems. Nobody who believes that for this generation change is not just an option but an imperative will be excluded.

5.15 pm

I look forward to working with Mr David Trimble. I have known him for a long time. We have not always agreed, and there will still be times when we disagree, but the disagreements will be sorted out face to face, for I am sure that his back is sore enough at the moment. I pledge to him, to my own party, to every other party here and to the people of the North of Ireland that we will do everything in our power to help every Member to effect the changes that have been agreed and so open up a new vision and a new imagination for a new century.

**Mr C Wilson:** Will the Member give way?

**Mr Mallon:** I will always give way to Mr Wilson.

**Mr C Wilson:** I am very grateful.

Mr Mallon is about to conclude his speech. It would be helpful to Members were he to answer the question about decommissioning. Will he tell us what exactly is his position so that we can match it against that of Mr Trimble?

**Mr Mallon:** As always, I am impressed by Mr Wilson's grasp of detail.

Yes, I want to see decommissioning. Yes, I want it to happen quickly. Yes, it has to be done. Yes, I think that those who hold arms, as well as the people who are associated with them, can help the process of which we are all a part. I cannot be any clearer than that.

We all have reason enough for grievances. We can all engage in "whataboutery". We can all point out what has been done to us and to our communities. We can all point out how we have suffered. We can all point out how the other fellow is always wrong. This time let us come together to do the right thing for the people of this island, especially those in Northern Ireland, who elected us.

**Mr Trimble:** May I too start by thanking the Members who moved and who seconded the motion. I am grateful to them and, indeed, to others for their remarks about myself. It was not my intention to speak, for I thought that in some respects it would be inappropriate to do so. I am not actively canvassing or seeking appointment.

The Ulster Unionist Party has always recognised and accepted its responsibilities, and as a member of the party I have accepted and discharged responsibilities. However, it would be inappropriate for me to sing my own praises or to induce Members to vote in a particular way. They must vote as they see fit.

Another reason for not commenting in this debate is that, in view of the situation in Northern Ireland — the past, the present and the future we hope to have — there is a host of things that should be considered. However, in the time that is available today one can touch on just a few.

My Colleague Mr Taylor has said that he hopes that we as a community are now coming out of the morass in which we have been stuck for the last 30 years. It is a hope that has not yet been realised. The morass is political violence and terrorism on far too great a scale and from far too many quarters. Many of us have seen it far too close. Reference has been made to a good friend of mine who was murdered. I was just a short distance away, and I had to identify his body. Many other people have had a similar experience, so we know what we are dealing with. We know the reality of the violence from which this community has suffered.

The morass to which I have referred consists not just of political violence but also of political impotence. By

virtue of direct rule, people and their elected representatives were rendered unable to deal with certain issues. The community was disconnected from the rest of the body politic. That had a negative effect on attitudes and on the way the community operated. We hope that we are coming out of the morass, but at this stage success is not guaranteed. We all know the problems, and we ought to realise that they could overcome us. The problems will not all be solved overnight by the wave of a magic wand. We will have to work at them.

In the course of this debate a question has been put repeatedly. Of course, those who put it were not making a genuine enquiry. The question was not put by people seeking information or guidance; it was simply another cheap political stunt by people who cannot tell the difference between cheap political stunts and serious attempts to deal with issues. However, I will address it. David Trimble is merely one of 28 Ulster Unionist Members. All 28 have come here on the same manifesto — the same manifesto and the same position.

Those who put the question could have found the answer stated very simply in the manifesto. The relevant section begins

"Before any terrorist organisation and/or its political wing can benefit from the proposals contained in the Agreement on the release of terrorist prisoners and the holding of ministerial office in the Assembly, the commitment to exclusively peaceful and non-violent means must be established. The Ulster Unionist Party will be using various criteria that are objective, meaningful and verifiable to judge whether this is being achieved."

The manifesto sets out at length what those criteria are, and the relevant section concludes

"Ulster Unionists will not sit in Government with unreconstructed terrorists."

The first important thing is to establish commitment to the democratic process. People must state that they will not, now or in the future, use violence to achieve their goals. They must commit themselves irrevocably to the democratic process. There are criteria by which that can be established, but the important thing is to keep sight of the objective and not allow ourselves to focus so much on one thing. We do not want to end up being hoist by our own petard.

The second important thing is to make reference to unreconstructed terrorists. A number of Members who are here today have done terrible things. I do not need to elaborate, though I should say that those concerned are not all in one corner of the Chamber. Many awful things have happened. People must accept responsibility for what they have done, and one hopes that responsibility is also noted by the Government, the state and the legal process. However, those institutions are imperfect, and there are people who have done

terrible things for which they have not been made amenable. Some of them are here.

We are not saying, and we have never said, that the fact that someone has a certain past means that he cannot have a future. We have always acknowledged that it is possible for people to change. That is fundamental to one's view of society. Indeed, if I were in the habit of using religious metaphors I could find many that would be appropriate. It is not my habit to mix religion with politics if that can be avoided, but Members will realise what I am referring to. Because of the situation in this society it is desirable that all Members with a terrible past should change and should demonstrate that they have changed.

The Agreement that we have put in place is inclusive. But that is nothing new, for it stems from the proposals given to Tom King in 1987, which referred to partnership administrations based on proportionality.

**Mr P Robinson:** But excluding terrorist representatives.

**Mr Trimble:** Of course.

Proportionality is inclusive, and it is right that it should apply only to those who are committed to the democratic process. That was the position then, and it is the position now. There is an opportunity for people to take part in the process if they have shown that they are committed to peaceful means and democracy.

I underline these points not out of a desire to exclude but simply to emphasise the things that need to be done. The sooner there is a realisation of that need, the better. Beginning the task will enable us all to move together. I am determined that we shall all move forward. I do not want society to throw away the opportunity to rise out of the morass in which it has been stuck.

5.30 pm

To people who ask if the process will succeed I cannot give an answer at this stage, just as I could not give an answer during the talks. What I can say now, as then, is that the process will not fail for want of effort on the part of the Ulster Unionist Party. If people end up being excluded it will be because of their own failure to meet requirements — not because of any deliberate action on our part.

I hope we are coming out of the forest. We certainly deserve to, and we have the opportunity. There is something great to be gained by all sections of the community, and, like Mr Mallon I am conscious of the responsibilities that will come to us, perhaps very soon. I am conscious of our obligation to all of society to discharge those responsibilities, and I know that it will not be easy.

There will be difficulties, but we have started on the long march towards a better future, and we are determined to continue. We are determined to succeed for the benefit of all society. This opportunity must not be discarded.

**Rev Dr Ian Paisley:** Everybody will be glad to know that the Prime Minister is to be here tomorrow and that there will be OBEs galore for those who do his handiwork.

**The Initial Presiding Officer:** The Rt Hon David Trimble and Mr Seamus Mallon are the only candidates proposed for the positions of First Minister (Designate) and Deputy First Minister (Designate) respectively.

Question put.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. Unless an announcement is made, Members who are outside the Chamber will not know that a vote is about to be taken.

**The Initial Presiding Officer:** The arrangement under the Standing Orders is for an announcement that a vote will begin in three minutes. I understand the point you are making. It is one that should be addressed by a Committee on Standing Orders. There is no bell. In this respect the Initial Standing Orders are unsatisfactory, but they are the only ones we have.

**Mr McCartney:** On a point of order, Mr Initial Presiding Officer. This is probably one of the most important votes. If there has been a breakdown in the equipment to alert Members that a vote is to be taken, that is regrettable. There is absolutely no reason not to give some leeway in the circumstances.

**The Initial Presiding Officer:** Mr McCartney, either I was unclear or you misunderstand. There has been no breakdown in the equipment. There is an inadequacy in the Standing Orders. There is no bell because none is required by the Standing Orders. All that is required is that an announcement be made that a vote will be taken in three minutes. The filibuster has gone on long enough. All those who were on errands should now be present.

The Ayes and Noes will be counted under the designations that were given earlier.

**Mr Adams:** On a point of order, A Chathaoirligh. I have explained in some detail why we are deploying this tactic. The reason is clear from the antics on the other side of the House. I have given notice that my party, while supporting absolutely the right of both the Ulster Unionist Party and the Social Democratic and Labour Party to take up their positions, will be abstaining.

**The Initial Presiding Officer:** Will you stand, please.

**Mr Adams:** Sorry. That too should be dealt with under Standing Orders.

**The Initial Presiding Officer:** That is why they are called Standing Orders!

**Mr Adams:** Yes — that is why I said it.

My point of order is that my party will be abstaining in this vote for the reasons I have given. You did not refer to that; you referred simply to recording assent or dissent.

**The Initial Presiding Officer:** Yes, perhaps I should have clarified that. Anything other than an Aye or a No will not be counted.

**Mr P Robinson:** Do what is done in Castlereagh.

**The Initial Presiding Officer:** I do not think I will follow that. Ayes and Noes are the only responses that will be noted. There is currently no provision for noting abstentions.

**Mr Shannon:** Is the Ulster-Scots word “nah” acceptable?

**The Initial Presiding Officer:** As I said earlier, where any language other than English is used, it would be courteous to provide a translation.

**Mr Shannon:** For those who do not understand, let me explain that “nah” is the Ulster-Scots for “no”.

**The Initial Presiding Officer:** I entirely understand what you are saying, and I repeat that when any language other than English is used, a translation should be given for the sake of other Members who may not understand it. Otherwise it will not be noted.

**Mr Adams:** Is there an Ulster-Scots word for “yes”?

*The Assembly divided: Ayes 61 (Nationalist 24; Unionist 30; Other 7); Noes 27.*

AYES

*Nationalist*

*Alex Attwood, P J Bradley, Joe Byrne, John Dallat, Arthur Doherty, Mark Durkan, Sean Farren, John Fee, Tommy Gallagher, Carmel Hanna, Denis Haughey, Joe Hendron, John Hume, Patricia Lewsley, Alban Maginness, Seamus Mallon, Donovan McClelland, Alasdair McDonnell, Eddie McGrady, Eugene McMenamin, Danny O'Connor, Eamonn O'Neill, Brid Rodgers, John Tierney.*

*Unionist*

*Ian Adamson, Pauline Armitage, Billy Armstrong, Roy Beggs Jnr, Billy Bell, Tom Benson, Esmond Birnie, Joan Carson, Fred Cobain,*

*Robert Coulter, Duncan Shipley Dalton, Ivan Davis, Reg Empey, David Ervine, Sam Foster, John Gorman, Derek Hussey, Billy Hutchinson, Danny Kennedy, James Leslie, David McClarty, Alan McFarland, Michael McGimpsey, Dermot Nesbitt, Ken Robinson, George Savage, John Taylor, David Trimble, Peter Weir, Jim Wilson.*

*Other*

*Eileen Bell, Seamus Close, David Ford, Kieran McCarthy, Monica McWilliams, Jane Morrice, Sean Neeson.*

NOES

*Unionist*

*Paul Berry, Norman Boyd, Gregory Campbell, Mervyn Carrick, Wilson Clyde, Nigel Dodds, Boyd Douglas, Oliver Gibson, William Hay, David Hilditch, Roger Hutchinson, Gardiner Kane, Robert McCartney, William McCrea, Maurice Morrow, Ian R K Paisley, Ian Paisley Jnr, Edwin Poots, Iris Robinson, Mark Robinson, Peter Robinson, Patrick Roche, Jim Shannon, Denis Watson, Jim Wells, Cedric Wilson, Sammy Wilson.*

**The Initial Presiding Officer:** The total number of votes cast validly was 88. The number of Nationalist votes in favour was 24. As the total number of Nationalist votes was 24, the Nationalist vote in favour was 100%. The total number of Unionist votes was 57; the number of Unionist Ayes was 30, giving 52.63%. The total number of Ayes, at 61, is 69.3% of 88.

*Question accordingly agreed to.*

*Resolved:*

That the Rt Hon David Trimble MP be First Minister (Designate) and Mr Seamus Mallon MP be Deputy First Minister (Designate).

I now ask the Rt Hon David Trimble and Mr Seamus Mallon, having been chosen by the Assembly as First Minister (Designate) and Deputy First Minister (Designate), to come forward and make an affirmation to the Assembly.

I first ask the Rt Hon David Trimble, elected as First Minister, to make the affirmation in the form prescribed.



**The First Minister (Designate) (Mr Trimble):**

I, David Trimble, affirm to the Assembly my commitment to non-violence and exclusively peaceful and democratic means, my opposition to any use or threat of force by others for any political purpose, my commitment to work in good faith to bring into being the arrangements set out in the agreement reached in the multi-party negotiations on 10 April 1998 and my commitment to observe the spirit of the Pledge of Office.

**The Initial Presiding Officer:** I now ask Mr Seamus Mallon, having been duly elected as Deputy First Minister, to make the affirmation.

6.00 pm

**The Deputy First Minister (Designate) (Mr Mallon):** I, Seamus Mallon, affirm to the Assembly my commitment to non-violence and exclusively peaceful and democratic means, my opposition to any use or threat of force by others for any political purpose, my commitment to work in good faith to bring about the arrangements set out in the agreement reached in the multi-party negotiations on 10 April 1998 and my commitment to observe the spirit of the Pledge of Office set out in Annex B to the Initial Standing Orders.

**The Initial Presiding Officer:** May I, on this momentous occasion, on my own behalf, on behalf of the Assembly and on behalf, I have no doubt, of the overwhelming majority of the people of Northern Ireland, congratulate you on being elected the first First Minister and the first Deputy First Minister in Northern Ireland.

**Rev Dr Ian Paisley:** Mr Initial Presiding Officer, I want to point out that you do not have the right to speak for the Assembly. You can only speak for those in the Assembly who voted for these gentlemen. Let us get that straight. The Speaker of the House of Commons would not dare to say that she speaks on behalf of the House. She speaks as the Speaker of the House, not on behalf of the House. Some people vote according to their convictions, and you cannot take to yourself the right to speak on behalf of the Assembly.

**The Initial Presiding Officer:** Thank you very much.

## ASSEMBLY: COMMITTEE ON STANDING ORDERS

*Motion made:*

That in accordance with paragraph 15 of Initial Standing Orders the Assembly shall establish a Committee whose terms of reference, quorum and composition are set out below.

**Terms of Reference:** To assist the Assembly in its consideration of Standing Orders and report to the Assembly by 14 September 1998.

Composition:	UUP	4
	SDLP	4
	DUP	3
	SF	3
	All	1
	UKUP	1
	PUP	1
	NIWC	1
Quorum:		8

— [The Initial Presiding Officer]

**Mr P Robinson:** Can you, Sir, indicate how we could appropriately deal with the three people who might be described as Independents? It is somewhat unfair that both the Women's Coalition and the Progressive Unionist Party, each of which has two Members, have a representative on this Committee while the three Independents, who have broadly similar views, have none. Is the Assembly willing to consider the matter and give some representation to this group?

**The Initial Presiding Officer:** Mr Robinson, we have interim Standing Orders, and, as you know, they are the only rules under which we can work. The suggestion you make can be considered by the Assembly. We can only make this decision for the present. There were meetings conducted by the Chief Whips, including the Chief Whip of your party. These matters cannot be considered further at this juncture, but they may be developed at a later stage.

**Rev Dr Ian Paisley:** On a point of order, Mr Initial Presiding Officer. The Assembly has a right to honour everyone in it, and there is nothing in the Standing Orders against our putting anyone on this Committee — nothing whatsoever. As the then solitary member of my party in the House of Commons I was given my place. And I reminded Mr McGrady today of how some of his members in the same position were not passed over.

It would be scurrilous of this Assembly not to recognise three Members who need a voice on all Committees. I protest vigorously that they were not told about any of the arrangements. The reason they were so treated is that they were against the Agreement. It was a political decision. A nominee of their choice should be added to this Committee.

Some other Members would be up in arms if they were excluded in this way. Let us remember what happened in the Forum. Fair is fair. These three Members deserve to be represented.



**Mr Morrow:** As you, Mr Initial Presiding Officer, said, the Democratic Unionist Party was at that meeting. But the composition of the Committees was not agreed. The Social Democratic and Labour Party was getting three Members but was not represented at the second meeting. So what we have in front of us was not agreed by the Whips' today.

**Mr C Wilson:** I endorse what Mr Morrow has said. In fact, I raised this matter with you, Sir, in the belief that it should be put to the Assembly today. I am sure that many Members, including Prof McWilliams and Mr Irvine, are keen to defend the rights of the smaller groups and parties, as they did in the Forum and in the negotiations.

**Mr Irvine:** Mr Wilson will remember that at a meeting yesterday I addressed this issue on behalf of those Members in a position similar to ours.

**Mr C Wilson:** I am glad. I was trying to provoke the Member into saying publicly what he had said privately. It would be easy to determine the view of the House by asking whether any Member has any objection to the three Independents' having a representative. If not, is there any difficulty?

**The Initial Presiding Officer:** Yes, there is a difficulty. With regard to Committees of the kind that we are discussing, Standing Order 15(2) states

"each party with at least two members shall have at least one seat on each Committee."

If the three Independents wish to be represented, there is no reason why the matter cannot be dealt with at a subsequent meeting. The problem about dealing with it now is that, as Mr Morrow said, the Whips did not agree entirely on all the matters. Indeed, right up to three minutes before the start of this meeting they could not even resolve who should propose the motion.

If the motion were to be proposed as prescribed, the Initial Presiding Officer would have to take responsibility for moving it. Furthermore, if an amendment were to be proposed to any item, it would, under the Standing Orders, have to be notified in writing to the office of the Initial Presiding Officer at least one hour prior to the commencement of the day's business. All the Whips were aware that the list did not contain a recommendation for the representation of these three Members, but I received nothing in writing one hour, or even half an hour, before. The matter has only now been raised.

We have no option but to proceed with the Standing Orders as they are. The Assembly would be entirely within its rights if it were to reject the motion as unsatisfactory, but at this juncture the only propositions are those that are before us. However much I might like to do so, I cannot receive amendments, for the time for acceptance has expired.

**Mr P Robinson:** There will often be differences in the Assembly, but let us not try to create difficulties when there is no need. The rule to which you refer does not exclude the possibility of the Assembly's nominating one of these three individuals to the Committee. It sets out a right for those parties that have two members or more to be represented, but it does not prevent the Assembly from exercising its powers for the purposes of its own business. We have had a lot of talk about how inclusive this process should be; now let us have some evidence.

**The Initial Presiding Officer:** What you say is absolutely correct, and if an amendment to that effect had been received in time, it could have been put to the Assembly. But none was received, and that is the dilemma in which I find myself. Indeed, the other matters too were not proceeded with. It would be desirable to achieve agreement on these questions, but under Standing Orders I have had to proceed with the agenda items as set out in the appendix.

**Mr McCartney:** Mr Initial Presiding Officer, I understood your first comment in response to Dr Paisley to be that the three Members do not have a right. You did not say that they have a right which they failed to exercise. In fact, you stated quite clearly, and quoted Standing Order 15(2) as saying, that each party with at least two Members shall have at least one seat on each Committee. A party with two Members is not limited to one place on a Committee. It could have two, but it must have at least one. So there is nothing whatever to prevent an individual from being represented on a Committee.

Initially you said that the individuals were not entitled at all, but you have moved to the subsidiary ground that the motion was not tabled in time. I submit that the Assembly can agree at this stage to make an amendment that is in accordance with all the rules of natural justice and does not contravene any of the preliminary Standing Orders.

**The Initial Presiding Officer:** I said not that they could not be represented but that they did not have a right to be represented. That is what the provision says. In other words, as Mr Peter Robinson points out, if it were decided that one or two or all of them should be on a Committee, that would be entirely possible, but other representations would have to be reduced as the size of the Committee is also laid down. But the matter would have to be discussed. Parties of two or more have certain entitlements, which must be respected. This group of three could turn themselves into a party or make some other arrangement. The Committee on Standing Orders may have to pay particular attention to individuals who are not members of parties.

I know a place where there are Cross-Benchers who do not take any party Whip but have a convenor. They

do not have all the privileges that parties enjoy, but neither do they have all the responsibilities. There are some things that the three individuals here do not have, but I understand that they have reasonably commodious accommodation — much more than individual party members.

We must try to ensure that all these matters are dealt with properly, but that could not be done without a Committee on Standing Orders, whose appointment will require a resolution, either today or at the next sitting — perhaps on 14 September — which will necessitate changes in the other membership.

It is not possible to move to an amendment now, because it was not put forward one hour ago. Members who are getting to their feet were aware of the situation.

6.15 pm

**Mr McGrady:** In order to assist the work of the Assembly and allow it to proceed with its business, we could take cognisance of the representations made for the three Members. On behalf of my party's Chief Whip, I will be very conscious of that factor.

Irrespective of the arguments that have been put forward in this debate, we are circumscribed by the Standing Orders before us, which state that the maximum number shall be 18. I understand that the allocation of positions to parties is also prescribed by the Standing Orders. Nevertheless, 18 is the maximum number. We will be sympathetic to representations, but some of the other parties — particularly those that are advocating the rights of the three individuals — may have to cede one of their seats in the meantime. This could, however, be addressed at the first meeting of the Standing Orders Committee.

**The Initial Presiding Officer:** I have taken a number of interventions as points of order although they have been more like substantive contributions. Mr Maskey is the only Member to have put his name forward to speak in the debate.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. I would like to draw your attention to Standing Order 9(1), which is the one that, as you indicated, appears to be blocking any change to the proposal as it appears on the Order Paper. If there were a will on the part of the Assembly to have a Committee including one of the three representatives, could we not vote down the proposal that is on the Order Paper? A new proposal could then be put that was within the current Standing Orders.

**The Initial Presiding Officer:** I shall respond to that point of order and then call Mr Maskey.

Such a matter could perhaps be dealt with — I would have to take advice — by leave of the Assembly, which

is usually taken as requiring unanimity. That will be the case when the Assembly has full power to decide its own business. At present, agenda items are prescribed by the Secretary of State.

At this juncture we are not entirely free in that respect. For example, even an Adjournment debate requires the approval of the Secretary of State. Indeed, such a letter was received just before this sitting. What you say would be correct if there were unanimity in the Assembly, but there would probably need to be a suspension to seek the Secretary of State's approval.

**Mr McGrady:** On a point of order, Mr Initial Presiding Officer.

**The Initial Presiding Officer:** We should seriously consider whether the best way to conduct a debate is by raising sporadic points of order. However, I will allow one or two more.

**Mr McGrady:** Thank you, Sir, for your tolerance. You want to facilitate progress in the Assembly, and you can rule me out of order if you wish. However, it is proper to suggest that one of the three Independents should attend the Standing Orders Committee as an observer until the Standing Orders can be amended in accordance with the will of the Assembly.

**The Initial Presiding Officer:** I have no idea whether the Initial Presiding Officer has the power to indicate that someone may attend in that way until the matter has been resolved. I shall have to take advice. It is not a matter on which I sought a legal opinion in advance. I am certainly not antagonistic towards the proposition, but I will have to do two things in following it up: first, seek legal advice about whether I am in a position to take such action; secondly, consult the Whips of all the parties and, of course, the three Independents to see if what you suggest might be a way of resolving matters.

I certainly do not want to create difficulties, but it is crucial that we stick to the Initial Standing Orders, though we did not design them.

**Several Members:** *rose.*

**The Initial Presiding Officer:** I can take only one more point of order.

**Rev Dr Ian Paisley:** The original draft of the Order Paper listed four Ulster Unionist Party members, three Social Democratic and Labour Party members, three people from the Democratic Unionist Party, three from Sinn Féin and one each from the other parties. I do not understand how that can suddenly have changed today. I understand that the meeting was called for 11 o'clock. My Whip was there, but it did not begin until 11.30 am. Even though the Social Democratic and Labour Party's Whip was not at the meeting, we have these changes. I

understand that party members had business in Londonderry.

**Mr Hume:** They did not.

**Rev Dr Ian Paisley:** That is what we were told at the meeting.

**Mr Hume:** This shows how much the Member is told.

**Rev Dr Ian Paisley:** The Initial Presiding Officer told us, and we believe what he says until we have reason to do otherwise.

I want to know why the representation of the Social Democratic and Labour Party was changed. Also, the Democratic Unionist Party, with 20 Members, has the same representation as Sinn Féin, which has 18 Members. That is unfair, and it must be looked into. The way in which this motion has been handled is obstructing the Assembly's business.

I regret the attitude of some people. The three Members in question need representation. They do not know what is going on. I would go along with Mr McGrady's proposal. It is better than nothing, though the Independents should be there by right. I would understand it if this motion were defeated and another one proposed. That would be quite in order. The Secretary of State would be unlikely to quibble if that were the wish of the Assembly, which she says she wants to bolster.

**The Initial Presiding Officer:** I will take Mr McCartney's point of order and then reply to both.

**Mr McCartney:** It is a very short point. I received the Order Paper at 2.05 pm, as did most other Members, and it would have been very difficult to give the notice required for an amendment. I was debating in the Chamber along with everybody else.

You have your Standing Orders, Mr Initial Presiding Officer, but circumstances alter cases. There have been all sorts of alarms and diversions on this the Assembly's first day, and documents have arrived late — in some cases, when Members were already in the Chamber. In those circumstances how could the hour's notice which, apparently, these Standing Orders require have been given?

**The Initial Presiding Order:** I am grateful to Members for pointing out the difficulty in which I and some others were put. Several meetings of Whips were called, but there was not a full attendance at all of them.

Several other issues were considered. One which has not been brought to the attention of Members is that there is no provision for the Initial Presiding Officer to be on the Standing Orders Committee. That may present a problem. It is one of the difficulties of moving

so rapidly from the election into the Assembly itself. I am somewhat at the mercy of rules that have been set down. Having tried hard to work them over the last 36 hours, I realise that they are not very satisfactory. While the issue was raised in a general way, there was no specific proposal to deal with it.

I am not prepared to continue the debate by way of points of order. Arrangements that were put in place were accepted by the Whips, so I ask that any Member who wishes to speak make that known. If there is a way to resolve the problem, let us try to find it. I would be grateful for any proposals. If there is a suggestion that seems to have more support than Mr McGrady's, the sitting could be suspended so that we might look into it. Otherwise Members will have to vote on the issue at the end of the debate.

**Mr Maskey:** Most Members who have spoken think that there are shortcomings in the interim Standing Orders. We raised some of these with you, Mr Initial Presiding Officer, with Paul Murphy and, indeed, with the Secretary of State. We are not satisfied with some aspects of the interim rules, but they are what we have at the moment.

I am heartened by the intensity with which the Democratic Unionist Party is defending the rights of Members. I hope that that augurs well for us all. The DUP is one of the parties that do not have what I would call a very good record. You, Sir, have been witness to some of its antics. But the best way to proceed is to debate the motion that you have moved. It is not perfect, but it is imperative that the work of the Committee be completed as quickly as possible.

We could all raise a host of issues, but this business must be done.

Sinn Féin will try to make sure that the Standing Orders enable the Assembly to function properly and fairly. The rights of all Members must be respected. We are circumscribed by the interim Standing Orders, but we must get the Committee going immediately.

6.30 pm

**Mr P Robinson:** In view of the inadequacies of the interim Standing Orders, the Committee's composition must be dealt with promptly and seriously. Without proper Standing Orders, the Assembly's proceedings will become more and more difficult. Confusion will abound, and that will undoubtedly increase acrimony. This is an important Committee, and we must ensure that it is as representative as possible.

I realise, Mr Initial Presiding Officer, that there are Standing Orders by which you have to abide, but their nature allows for the impact that I am suggesting, without contravention if there is a willingness on the part of Members. There may be parties that some want



to exclude for political reasons. Anyone who does not want an inclusive Committee should stand up and say so.

It is clear how to get the result that is necessary. When you, Sir, and the Whips were dealing with this matter the Social Democratic and Labour Party had three places on the Committee. According to the Order Paper they now have four. Somewhere along the line the persuasiveness of the SDLP led to an increase in its representation. The additional place could go to one of the three Unionist Members who will otherwise not be represented. That is what was accepted by everyone except the SDLP, whose Members were doing business elsewhere.

The suggestion that we should have put down an amendment is absurd. We could not have done so, for the paper was not circulated before the sitting started. According to the Standing Orders, an amendment must be put down one hour before commencement. It would have been impossible to meet that requirement.

Everyone who was at the previous meeting believed that the Social Democratic and Labour Party was to have three representatives. SDLP Members may have been led to believe something different, but that was the understanding of the rest of us.

Irrespective of the issue of the three Independents, if I had known what was being proposed I would have put forward an amendment limiting the number of SDLP members to three, which is more proportionate to the party's numerical strength in the Assembly. But we were denied that right. Indeed, we were deceived at the earlier meeting into believing that the party would have three representatives.

Mr Initial Presiding Officer, you have said that the matter of the three Independents was not raised at the meeting that you conducted. Of course not, for you did not invite them. They are the best people to represent their point of view, but they were not to be in the special club that you called together. You can hardly be surprised that their interests were not represented.

We must have a means of involving every Member in consultation. Regardless of statistics, nobody should be excluded.

**Mr Weir:** Is a person technically a Member before taking his seat? If not, there was no Member to put down an amendment one hour before the sitting.

**The Initial Presiding Officer:** If we had taken that view we could not have planned anything, and neither your party nor anybody else would have been represented. That is the reality of our imperfect situation. It is always easier to sort out legal matters where there is a corpus of law of long standing.

**Mr Dodds:** Mr Presiding Officer, you have indicated that there could not have been meetings before this sitting. That is entirely wrong. The meetings that you held should have been more inclusive. There was nothing to prevent you or officials from consulting.

Mr Weir is entirely correct. How could you stick to the Rules so precisely? As no one could sign the Roll before the first sitting, technically there was no Member to put down amendments. I was going to raise the matter as a point of order, but you were refusing to take any more points of order.

Further, you did not deal with Mr McCartney's point about requiring an amendment to be tabled one hour before the sitting. The Order Paper was distributed just a short time before — in some cases, during, as is being pointed out by a Colleague.

It is very clear from what you have said that changes were made at the last minute. By nodding your head you are indicating that you agree.

We must approach this matter from first principles. Today I have heard a great deal about inclusiveness. If that is the rationale, surely it should be applied to something as fundamental as the rights of Members. The standing orders of any elected body should protect members' rights. It cannot be proper that in this case some Members are excluded.

Several Members have said that they will make sure that these rights are protected. Under natural justice, they are entitled to an input into the Standing Orders under which they will have to operate. So it is essential that a mechanism be found to ensure that individuals are represented on this very important Committee. That would certainly be in line with the principles that have been spoken about. The rules as drafted give rights to parties, but they do not prevent individual Members from being represented.

For all these reasons, Mr Initial Presiding Officer, I appeal to you and to the House to ensure that the Committee will get off on the right foot.

**Mr Durkan:** I want to take issue with those who argue that reducing the number of Social Democratic and Labour Party members to three would solve the problem. Mr Initial Presiding Officer, you referred to the fact that Standing Order 15(2) restricts the membership of any Committee to 18 and gives a commitment that a party with two or more Members shall have at least one seat on each Committee.

The election could have resulted in our having several parties with only one Member each. In that event we would not have been able to include every party and take care of the Independents. If Nationalist as well as Unionist Independents had been elected —

Mr Robinson has said that the three individuals in question have broadly similar views — would all the Independents be grouped? We appreciate the difficulties to which you, Sir, have referred.

Standing Order 15(2) also states that, so far as is practicable, the composition of the Committees should reflect party strengths. It was suggested that reducing the Social Democratic and Labour Party's allocation on this Committee to three would meet that requirement. Each party with more than two Assembly Members has one Committee place. The Alliance Party, which has six Assembly Members, has only one representative on the Committee. Under this proposal, every party will get an additional seat for each further six Members. If the Alliance Party gets one member for six, Sinn Féin should get three for 18, the Democratic Unionist Party three for 20, the Social Democratic and Labour Party four for 24, and the Ulster Unionist Party four for 28. It would take 30 to qualify for five. It seems to me that six is an appropriate and fair index.

If the SDLP's representation were reduced to three, the appropriate index would be seven. The Ulster Democratic Unionist Party's number would be reduced from three to two, and Sinn Féin's from three to two. We could not seriously argue that that was a fair reflection. The Democratic Unionist Party, with 20 Members, would get only two seats, and the Independents, who are elected disparately and separately, one. There is a notion that the SDLP's membership should be reduced to make way for three Independents, who, by the way, are not making this case themselves.

We reject the notion that the way to solve this problem is to reduce the SDLP's membership. That would go against the principle of fair reflection. If there were such a reduction the proportionality threshold would have to be changed, and other parties would be affected.

**Mr Ford:** We have spent some time demonstrating how much we need a Standing Orders Committee. Clearly, the Initial Standing Orders are totally unsatisfactory, and until something is done about them we shall continue to have debates like this.

I must take issue with Mr Durkan with regard to the extra seat for the Social Democratic and Labour Party. The first proposal was that there would be three seats for the SDLP, but Mr McGrady proposed that the number be four. Mathematically either is a bit low. Also, it is at least as unsatisfactory that the Initial Presiding Officer does not have a place on the Committee as it is that three individual Independents are not represented.

6.45 pm

The Committee's terms of reference require it to consider the matter of Standing Orders and to report to the Assembly. As it will not take final decisions, it is entirely appropriate that it be set up at the earliest opportunity. In a sense, numbers are irrelevant since the Committee's proposals will have to be approved by the Assembly and, as we are in shadow mode, by the Secretary of State.

At the meeting of the Whips, which I attended on behalf of my party's former Chief Whip, the interests of the Independents were argued adequately and almost continuously by two Members. I have no doubt that that would happen in the Standing Orders Committee too. Mr McGrady suggested that a mechanism be devised to give the Independents observer status, with the right to speak, if not to vote.

It is clear that this Committee is necessary and that it should get under way soon.

**Mr C Wilson:** Mr McGrady believes that the Social Democratic and Labour Party needs an additional member on this Committee. The party Whips will be in a very difficult position if they are presented with a fait accompli — a situation completely different from that which they relayed to their members.

It is regrettable that we were not informed of this late change. As Mr Ford has said, Mr Morrow and I argued the case of the Independents. I thought that we would be returning to the matter.

Those who attended all the Whips' meetings are being disadvantaged. The SDLP and Sinn Féin Members absented themselves, but they seem to have more clout.

**Rev Dr Ian Paisley:** Mr Durkan seems to think that Nationalists and Republicans are badly done by. It is not so. Nationalists as a whole have 42 Assembly Members and will have seven on the Committee, whereas 48 Unionists will have only seven.

**Mr Hume:** Remember the Progressive Unionist Party.

**Rev Dr Ian Paisley:** I am talking about the two largest Unionist parties, which have more than one representative on the Committee.

Nationalists are always telling us that they are badly done by. Forty-two Nationalists have the same Committee representation as 48 Unionists, yet they are arguing.

How did this happen? My Whip gave me the interim report last night after the meeting. It indicated four people for the Ulster Unionist Party, three for the Social Democratic and Labour Party, three for Democratic Unionist Party, three for Sinn Féin, and then the rest.



But today, without any contact with the Whips, the three has been changed to four. I want to know what secret weapon the Social Democratic and Labour Party has. How can it, without any consultation with the other parties, get an additional Committee member? This Assembly does itself no good by such activities. *[Interruption]*

Let Mr Maskey know that I believe in fair representation. I was picked by Members to chair the Committee that devised the Standing Orders of the first Assembly because they believed that I would be absolutely fair.

Let me tell Mr Ford that the Initial Presiding Officer does not need to be Chairman of this Committee. The Committee should elect its own Chairman. In any case, we do not yet have a permanent Presiding Officer.

The Secretary of State should realise that we shall not be able to operate properly if you, Sir, interpret the rules in such a way. Mr Weir made a very valid point, as did my Friend Mr Dodds. We should proceed on the basis of a motion. Let us do what the Assembly thinks is right.

**Mr Hume:** The answer to Dr Paisley's question about the Social Democratic and Labour Party is that we can count. There are 108 Members in the Assembly, 18 of whom will be on the Committee. That works out at one Committee representative for every six Members — the most democratic arrangement.

**Mr P Robinson:** A party with fewer than six Members will have two —

**Mr Hume:** Hold on a minute.

**Rev Dr Ian Paisley:** You already subtracted three.

**Mr Hume:** The three parties that are represented entirely accurately are the Alliance Party (one representative for six Members), Sinn Féin (three for 18) and the Social Democratic and Labour Party (four for 24).

Let us look at the Unionist parties' representation. The United Kingdom Unionist Party is over-represented, as is the Progressive Unionist Party. Together, the Unionist parties are well represented. As their description implies, the three Independents did not stand together. It is right to give representation to the Progressive Unionist Party and the Women's Coalition for they represent votes in constituencies other than their own. The Independents represent only themselves and the people in their constituencies who voted for them.

**The Initial Presiding Officer:** We have come to the end of this debate, and all Members had an opportunity to express their views. To be adopted, the proposal

requires simple-majority assent. If it is voted down, the Assembly will have to decide what other course to take.

**Mr Weir:** Mr Initial Presiding Officer, did today's letter from the Secretary of State indicate any alteration to the agenda, apart from the provision for the Adjournment debate? I think you suggested that it did. Are we not bound, apart from the addition, by the initial agenda, as set out in the Rules of Procedure detailed in Annex A, which refers to consideration of any motion? Surely that allows for another motion on this subject.

**The Initial Presiding Officer:** I have dealt with that matter. Another motion would require the leave of the Assembly, and that means unanimity. Perhaps I am not being entirely objective about the matter, but I did not get an impression of unanimity. Therefore I see no option but to proceed with the vote.

All today's votes will be on a roll call. There will be an interval of three minutes. We do not have a Division bell, but perhaps the Standing Orders Committee can look at that matter. This vote does not involve the special formula; the proposal requires 50%-plus assent.

**Mr Dodds:** Mr Initial Presiding Officer, you say that there is no bell. Will the impending vote be announced throughout the building?

**The Initial Presiding Officer:** Yes, as in the case of the last vote.

*Question put.*

*The Assembly divided: Ayes 76; Noes 27.*

AYES

*Gerry Adams, Ian Adamson, Pauline Armitage, Billy Armstrong, Alex Attwood, Roy Beggs, Billy Bell, Eileen Bell, Tom Benson, Esmond Birnie, P J Bradley, Joe Byrne, Joan Carson, Seamus Close, Fred Cobain, Robert Coulter, John Dallat, Duncan Shipley Dalton, Ivan Davis, Bairbre de Brún, Arthur Doherty, Mark Durkan, Reg Empey, David Irvine, Sean Farren, John Fee, David Ford, Sam Foster, Tommy Gallagher, Michelle Gildernew, John Gorman, Carmel Hanna, Denis Haughey, Joe Hendron, John Hume, Derek Hussey, Billy Hutchinson, Gerry Kelly, John Kelly, Danny Kennedy, Patricia Lewsley, Alban Maginness, Seamus Mallon, Alex Maskey, Kieran McCarthy, David McClarty, Donovan McClelland, Alasdair McDonnell, Barry McElduff, Alan McFarland, Michael McGimpsey, Eddie McGrady, Martin McGuinness, Gerry McHugh, Mitchel McLaughlin, Eugene McMenamin, Pat McNamee, Monica McWilliams, Francie Molloy, Conor Murphy, Mick Murphy, Jane Morrice, Sean Neeson, Mary Nelis, Dermot Nesbitt, Danny O'Connor, Dara O'Hagan, Eamonn O'Neill,*

Wednesday 1 July 1998

Assembly: Committee on Standing Orders

*Ken Robinson, Brid Rogers, George Savage, John Taylor, John Tierney, David Trimble, Peter Weir, Jim Wilson.*

*NOES*

*Paul Berry, Norman Boyd, Gregory Campbell, Mervyn Carrick, Wilson Clyde, Nigel Dodds, Boyd Douglas, Oliver Gibson, William Hay, David Hilditch, Roger Hutchinson, Gardiner Kane, Robert McCartney, William McCrea, Maurice Morrow, Ian R K Paisley, Ian Paisley Jnr, Edwin Poots, Iris Robinson, Mark Robinson, Peter Robinson, Patrick Roche, Jim Shannon, Denis Watson, Jim Wells, Cedric Wilson, Sammy Wilson.*

*Question accordingly agreed to.*

*Resolved:*

That in accordance with paragraph 15 of Initial Standing Orders the Assembly shall establish a Committee whose terms of reference, quorum and composition are set out below.

Terms of Reference: To assist the Assembly in its consideration of Standing Orders and report to the Assembly by 14 September 1998.

Composition:	UUP	4
	SDLP	4
	DUP	3
	SF	3
	All	1
	UKUP	1
	PUP	1
	NIWC	1
Quorum:		8

**The Initial Presiding Officer:** I shall suspend the sitting for about five minutes to give me an opportunity to meet with the Whips or the business managers of the parties and with Mr Denis Watson to discuss briefly when we should break for dinner. We have two more substantive motions and a time-limited Adjournment debate, which will take about one and a half hours.

*The sitting was suspended at 7.10 pm.*

On resuming —

## ASSEMBLY MEMBERS' NAMES

8.32 pm

**The Initial Presiding Officer:** I am aware that not every Member's name is listed as he or she wishes. In some cases it is spelt wrongly; in some cases I am pronouncing it wrongly; and in some cases I get a title wrong. Members should tell officials how they wish their names to appear on the voting list.

I apologise to anyone whom I have referred to or addressed incorrectly.

## FIRST MINISTER (DESIGNATE) AND DEPUTY: REPORT

**The Initial Presiding Officer:** In the absence of agreement by the Whips on someone to move the next motion, it will be moved in my name.

*Motion made:*

That the Assembly invites the First Minister (Designate) and Deputy First Minister (Designate) to consider and, after consultation, make proposals regarding the matters referred to the Assembly under section 1(2) of the Northern Ireland (Elections) Act 1998 and any other matter connected with the future business of the Assembly and report to the Assembly by 14 September 1998. —

*[The Initial Presiding Officer]*

**Rev Dr Ian Paisley:** Does this mean that the First and Deputy First Ministers are to consider these matters and make proposals to the Assembly, or does it mean that they can take decisions that would bind the Assembly while it is in recess until 14 September?

**The Initial Presiding Officer:** I hesitate to give the impression that such an explanation is the function of the Initial Presiding Officer, but the question that you raise is perfectly legitimate. My understanding is that this is a mechanism to enable the First Minister (Designate) and the Deputy First Minister (Designate) to consider the various matters and bring them to the Assembly for decision. The deadline is 14 September, on which day, we have already agreed, another report will be put before the Assembly. I expect that the report of the First and Deputy First Minister will then be transmitted to the Secretary of State.

**Rev Dr Ian Paisley:** Section 1(2) of the Northern Ireland (Elections) Act 1998 allows for the referral of any other matter connected with the future business of the Assembly. That is a very broad sweep, and I would be worried about handing power to these two gentlemen at the first meeting.

I would like to know what the other matters include.

**The Initial Presiding Officer:** The invitation is to consider and make proposals. The two gentlemen are not empowered to make decisions about anything. They may make proposals about any other matter and bring them to the Assembly. The phrase "any other matter" is fairly wide, but these are only proposals, which will be brought to the Assembly for debate.

There were two reasons for proposing 14 September. First, it is important, for the purposes of leave arrangements, that people should know exactly when they must be here. Secondly, some of the parties were keen to move as quickly as possible. Indeed, the week beginning 7 September was favoured by many. I had to take a decision in the absence of agreement. Also, I thought it important to have the sitting at the beginning of a week lest the debates on these reports take more than one day.

**Rev Dr Ian Paisley:** Thank you.

**Mr P Robinson:** Does "matters referred" mean matters referred in the past, or are the words used in a continuing sense? If it is the former, may we know what the matters are? And will the Secretary of State continue to refer them?

**The Initial Presiding Officer:** It means the wide range of matters to be referred to the Assembly under Section 1(2). There are some matters which, under the terms of the Agreement, will not be referred to the Assembly at this time — for example, policing and justice, prisons and taxation — though they could be referred later.

Any other matters connected with the future business of the Assembly are, I believe, those that concern the Assembly's relationships with other institutions. Obviously these will have to be agreed by the Assembly. This is a technical device to enable the First Minister (Designate) and the Deputy First Minister (Designate) to address such matters and report back to the Assembly.

The important point from the Assembly's perspective is that the instrument makes it clear that authority comes from the Secretary of State through the Assembly to the First Minister (Designate) and the Deputy First Minister (Designate), rather than from the Secretary of State to the First Minister and then to the Assembly. I believe that to be the situation.

**Mr Maskey:** This is obviously a very important issue, and we all want to deal with it quickly. The motion refers to consultation. I assume that that means consultation with all the parties throughout the process.

**The Initial Presiding Officer:** So do I, though I am willing to hear whether that is a correct interpretation of how the First Minister (Designate) and the Deputy First Minister (Designate) would act if this motion were passed.

**Mr P Robinson:** Perhaps Mr Trimble would like to answer that question before he goes.

**The Initial Presiding Officer:** Can Mr Trimble tell us?

**The First Minister (Designate) (Mr Trimble):** My apologies, Mr Initial Presiding Officer. I have been busy thinking of something else for the past few minutes. What was the question?

**The Initial Presiding Officer:** I appreciate that, and I am sorry to bounce this on you.

The motion asks the First Minister (Designate) and the Deputy First Minister (Designate) to consider and, after consultation, make proposals. Mr Maskey has asked if the consultation will include all parties.

**The First Minister (Designate):** The matters referred to include questions that relate to the future shape of the Administration of Northern Ireland. All Members have views on such things. Without undertaking to consult every individual, one can say that one would want to ensure that all points of view were taken into consideration. The consultation will probably extend beyond this body. Indeed, we have to consult with the existing Administration about how things are done. I imagine that the consultation will be fairly wide. However, as I said earlier, we will merely be bringing back proposals for debate here. I imagine that there will be debate when we return in September.

**The Initial Presiding Officer:** Would the Deputy First Minister (Designate) like to comment?

**The Deputy First Minister (Designate) (Mr Mallon):** It was proposed that there should be consultation with the parties, but several Assembly Members are not party members. In view of the substantial pressure for those people to be involved, the consultation should be all-inclusive. A wide range of elements will be involved. We are in uncharted waters, and before the end of the summer holidays there may be more consultation than many people would want.

8.45 pm

**Mr McCartney:** On the face of it the motion is tolerably clear as to what the First Minister (Designate) and his deputy have to consider. The next words are

“and after consultation”. It seems to me that, although consultation could be as wide as possible within the Assembly, the Ministers are not given carte blanche to consult Tom, Dick and Harry throughout the province. I take it that wide consultation is the widest possible consultation with all parties, including the independent Members of the Assembly. After the consultation, the Ministers will presumably make their proposals regarding the matters that are specifically referred to the Assembly under section 1(2) of the Northern Ireland (Elections) Act 1998

“and any other matter connected with the future business of the Assembly.”

But it must be consultation within the Assembly about matters that have actually been referred under section 1(2) and such other matters as are within the confines of the Assembly’s business.

**The Initial Presiding Officer:** I want to remind Members of the practice concerning mobile telephones, tape recorders, pagers and the like.

We are beginning to stray a little from proper procedure because I do not have a list of Members for the debate. We have slid from points of order. I am quite happy for us to move into a debate if that is necessary.

**Mr Adams:** Bhuel, níl mé ach ag cur ceiste, an bhfuil cead agam an cheist a chur nó rún a chur? I am just asking whether it is in order to propose that the Question be put? I am not formally proposing but asking if it is in order to do so?

**The Initial Presiding Officer:** It probably is in order, and I get a sense that such a course might be very acceptable. I will therefore now put the Question. I indicated that today, to avoid confusion or uncertainty, I would arrange for all votes to be by roll-call.

**Mr Empey:** I have no difficulty with the motion, but I do not think that you can put the Question when, as you yourself said, we have not had a debate.

**The Initial Presiding Officer:** The problem is that there is not a single name on my list, although I asked the Whips for names. That is why I thought it reasonable to go to the vote.

**Mr McCartney:** There seems to be consensus that this can be dealt with.

**The Initial Presiding Officer:** The vote will be taken in three minutes.

**Dr McDonnell:** On a point of order, Mr Initial Presiding Officer. Is it necessary for the vote to be recorded?

**The Initial Presiding Officer:** At the beginning I gave an undertaking that today all votes would be



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recorded. I accept that it is a little tedious, but an undertaking is an undertaking.

*Question put.*

*The Assembly divided: Ayes 72; Noes 27.*

### AYES

*Gerry Adams, Ian Adamson, Pauline Armitage, Billy Armstrong, Alex Attwood, Roy Beggs, Billy Bell, Tom Benson, Esmond Birnie, P J Bradley, Joe Byrne, Joan Carson, Seamus Close, Fred Cobain, Robert Coulter, John Dallat, Duncan Shipley Dalton, Ivan Davis, Bairbre de Brún, Arthur Doherty, Mark Durkan, Reg Empey, David Ervine, Sean Farren, John Fee, David Ford, Sam Foster, Tommy Gallagher, John Gorman, Carmel Hanna, Denis Haughey, Joe Hendron, John Hume, Derek Hussey, Billy Hutchinson, Gerry Kelly, John Kelly, Danny Kennedy, James Leslie, Patricia Lewsley, Alban Maginness, Seamus Mallon, Alex Maskey, David McClarty, Donovan McClelland, Alasdair McDonnell, Barry McElduff, Alan McFarland, Michael McGimpsey, Eddie McGrady, Martin McGuinness, Gerry McHugh, Eugene McMenamin, Pat McNamee, Monica McWilliams, Francie Molloy, Conor Murphy, Mick Murphy, Jane Morrice, Mary Nelis, Dermot Nesbitt, Danny O'Connor, Dara O'Hagan, Eamonn O'Neill, Ken Robinson, Brid Rodgers, George Savage, John Taylor, John Tierney, David Trimble, Peter Weir, Jim Wilson.*

### NOES

*Paul Berry, Norman Boyd, Gregory Campbell, Mervyn Carrick, Wilson Clyde, Nigel Dodds, Boyd Douglas, Oliver Gibson, William Hay, David Hilditch, Roger Hutchinson, Gardiner Kane, Robert McCartney, William McCrea, Maurice Morrow, Ian R K Paisley, Ian Paisley Jnr, Edwin Poots, Iris Robinson, Mark Robinson, Peter Robinson, Patrick Roche, Jim Shannon, Denis Watson, Jim Wells, Cedric Wilson, Sammy Wilson.*

*Question accordingly agreed to.*

*Resolved:*

That the Assembly invites the First Minister (Designate) and Deputy First Minister (Designate) to consider and, after consultation, make proposals regarding the matters referred to the Assembly under section 1(2) of the Northern Ireland (Elections) Act 1998 and any other matter connected with the future business of the Assembly and report to the Assembly by 14 September 1998.

## ASSEMBLY: COMMITTEE TO ADVISE THE PRESIDING OFFICER

*Motion made:*

That a Committee be established in accordance with paragraph 16 of the Initial Standing Orders.

— *[The Initial Presiding Officer]*

9.00 pm

**The Initial Presiding Officer:** This is a House Committee to deal with practical arrangements, including facilities for Members and business arrangements. It is different from the other Committees in that it will be chaired by the Initial Presiding Officer, with the Deputy Initial Presiding Officer also present, and that it will have not fewer than eight and not more than 16 members, appointed by the Initial Presiding Officer. The arrangements are not defined in quite the same way as for the Standing Orders Committee. Arguably this is not entirely satisfactory, but it is what we have been handed.

As it appears that I shall be operating as Initial Presiding Officer until at least the next sitting of the Assembly, I give an undertaking that I will try to construct the Committee as far as possible on the basis that has been established for the other Committee.

Given that that is not entirely without problems, there will have to be some negotiating. Perhaps it would be sensible to set up a skeleton Committee and build on it rather than have something that is grossly unsatisfactory from the start. We might begin with one member from each party, plus at least one each for the larger parties, and increase the representation later. Otherwise we could not use the figures that were agreed for the Standing Orders Committee.

I appreciate that this will require a degree of trust, but I can see no other satisfactory course under the interim Standing Orders that we have been given. It is clear from the numbers that we cannot operate this Committee in the same way as the Standing Orders Committee — and we were not very happy even about the latter. However, we shall do the best we can. I give an undertaking that the Committee will not operate on the basis of votes. It seems to me that we must struggle to agree on working arrangements.

As I moved the motion, I shall try to respond to any questions.

**Mr Molloy:** Mr Initial Presiding Officer, I have pleasure in agreeing with what you advocate. Having one member from each party, as on previous occasions, would result in a working Committee that could enable the Assembly to get on with its day-to-day business.

The Committee will have to be set up fairly quickly as there is much to be done. We will co-operate with you when you make your proposals.

**Rev Dr Ian Paisley:** Mr Initial Presiding Officer, you said that you would have one member from every party. Do you intend to have one of the Independents also?

**The Initial Presiding Officer:** Yes, there will have to be some such arrangement. To find the best course, I shall discuss the matter with all three Independents. I shall also have consultations with the Chief Whips.

**Mr P Robinson:** When will the Committee meet? I take it that, given the very cramped conditions here, you are eager that we take our rightful place in Parliament Buildings.

**The Initial Presiding Officer:** Decisions about location are entirely for the Secretary of State. She has indicated that some practical arrangements are proceeding apace, but I cannot give more concrete information. I hope I am correct in assuming that any instructions from the Secretary of State will be communicated rapidly to this Committee. Perhaps within the next few days there will be some indication about the Assembly's home.

If no other Members wish to speak, I shall put the Question.

**Mr P Robinson:** Is there any disagreement?

**A Member:** There is a look of shock on your face, Mr Initial Presiding Officer.

**The Initial Presiding Officer:** Not least because this unanimity is your doing. I am sorry: that was unkind and uncalled for.

*Question put and agreed to.*

*Resolved:*

That a Committee be established in accordance with paragraph 16 of the Initial Standing Orders.

*Motion made:*

That this Assembly do now adjourn.

— [The Initial Presiding Officer]

## ORANGE INSTITUTION PARADE (DRUMCREE)

**The First Minister (Designate) (Mr Trimble):** I am very glad that it has been possible to arrange this Adjournment debate, which gives us an opportunity to deal with matters that are important to the people of Northern Ireland.

I want to focus on what I think most people regard as a major problem that we need to resolve urgently: the sense of crisis that surrounds the annual Drumcree Parish Church service attended by the Portadown District of the Orange Order, which is scheduled for Sunday and which has been — wrongly, in my view — made subject to restrictions by the Parades Commission.

The Agreement that we are here to try to implement contains many references to questions of culture and identity — the ethos of the communities — and of rights. It is a serious mistake for the Parades Commission to be engaged in what I regard as a massive assault on the civil rights of an important section of the community. This runs counter to their ethos, heritage and culture.

It is a well-known fact that the Orange service at Drumcree was first held in 1807. Indeed, it may have started a year or two earlier. Within a decade or so of the creation of the order the then rector of Drumcree parish invited Portadown Orangemen to his church.

At that time this was the parish church for Portadown. St Mark's in the middle of the town, was established later. The two parish churches in the area at that time were Drumcree and Seagoe. Since then the Orangemen of Drumcree district have gone each July to both.

Over the years there has been some variation in the route from the town centre to Drumcree, but either the outward or the return march — indeed, sometimes both — has been along the Garvaghy Road, and until comparatively recently the route has been entirely uncontroversial. These are well-known facts that should not need to be restated.

In proceeding along the Garvaghy Road the Orangemen are not invading someone else's territory. They are not going through housing estates but are walking on a main road. It is a very broad carriageway which is the most direct route from the church to the town centre. The habit of the Orangemen has been to take the long way out and the short way home — entirely reasonable.

This is a parade to a church service — not an ordinary Orange walk. There are no banners — simply one Union flag and the bannerettes of the district and of the Portadown ex-servicemen's lodge. The music is provided only by accordion bands, whose members are predominantly female. It is a sober and restrained exercise which is very much a part of the culture and tradition of the order. Those who have a direct connection with it are the religious elements of the organisation and other people attending divine service.

The Garvaghy Road parade ought not to be a matter of controversy. In any other society such an event

would be regarded as something perfectly normal to which no reasonable person could take exception.

Unfortunately in recent years the opposition has been not just organised but accompanied by the threat of violence and, indeed, actual force. The highway has been blocked. We are dealing here with people trying to deny others their legitimate rights. The only way to maintain the rule of law is to remove the lawbreakers who are blocking the highway. Citizens must be enabled to exercise their rights in a reasonable manner.

Unfortunately, owing to the perversion of thought that has affected the Parades Commission and too many other people, the authorities, instead of responding to the breach of the rule of law in the only sensible and reasonable way, decided to punish the innocent. Such a decision was first taken in 1995, and the same thing happened on two other occasions. Responding in this way leads to the conclusion that the threat of force pays, and threat becomes a numbers game. Thus we have the danger of riots or disturbances.

What is happening with regard to the Garvaghy Road and other places leads members of the Orange Order and many other reasonable people to believe that they are faced with a concerted campaign to deny them reasonable expression of their rights. But recently Orangemen and others have said "This is enough. Here we must draw the line."

When people become entrenched, there is a danger that things will get out of hand, as was shown in 1995 and 1996. In 1997 there was a better, though not trouble-free, outcome. I hoped that even

the Parades Commission was capable of coming to the simple conclusion that what happened in 1997 was preferable to the events of 1996. Instead, we have been pitched into a dangerous situation where confrontation looms.

*9.15 pm*

I sincerely hope that confrontation can be avoided. If that is to be the case, those who are threatening, and who have in the recent past threatened, to block the Garvaghy Road must allow a responsible, reasonable, peaceful procession. Let them protest, but peacefully. Actually it would be better for them to do whatever people usually do between 12.30 pm and 1.00 pm on a Sunday. There is no reason for anyone to feel offended or to resort to violence.

In the hope of such an outcome, I addressed an open communication to those elements on the Garvaghy Road who, in my view, are causing the problem. I said that they should do their bit to deliver the peace that society wants, rather than bring about confrontation.

They should realise that in the summer of 1997 many dangers to the community were averted because the Orange Order voluntarily re-routed some parades to defuse tension. The Institution believes that, having behaved in a very reasonable, generous and responsible way, it has been let down by the Government. The failure of other elements in society to respond has also caused bitterness.

It would be entirely appropriate for Nationalists and anyone else who has influence on the Garvaghy Road to urge the residents to make a generous response to the Institution's behaviour last year. A similar spirit of generosity could prevent conflict.

I hope that we will manage to resolve these matters. I hope that, whatever happens, people will behave peacefully at all times. But, above all, I hope that we can put an end to this entire issue. It seems to me that the events of recent years are a symptom of the conflict in society as a whole.

Those who have waged what they call a war against the rest of society over the last 25 to 30 years need to make it clear the war is over and that the fomenting of trouble as a means of prosecuting the conflict will be abandoned. I hope that the conflict between elements of the community in Portadown, the war that some people — some people — on the Garvaghy Road are waging against the rest of the town, will also end.

It is symbolic that those elements on the Garvaghy Road elected as their spokesman a person who has a terrorist conviction in connection with the bombing of the British Legion hall in Portadown. That is an indication of the way in which they were waging a war against the rest of the community there. I hope they will realise that it is appropriate to stop. Then we can tackle the problems in the town, particularly with regard to community relations, which have deteriorated seriously as a result of the conflict in recent years. That is what the focus should be on. If there is to be an improvement those who have prosecuted this conflict must call it off.

We must have a peaceful resolution which recognises the rights of Portadown Orangemen to walk home from church by the most direct route. I hope that the threatened conflict will be averted, for I have the gravest forebodings about what will happen in Northern Ireland otherwise.

**Ms Rodgers:** Parading in Northern Ireland has a long history of conflict. Traditionally the Loyal Orders have been allowed — indeed, expected — to parade in all areas, whether Nationalist or Unionist and whether town centres or otherwise, whereas Nationalist parades have always been confined to Nationalist areas. The inequality is the reason for the conflict. But Nationalists are no longer prepared to accept unequal treatment, and



the situation in Portadown could be seen as the blueprint.

Let me deal very briefly with the background to the conflict. For years the Loyal Orders paraded through the Tunnel/Obins Street area — Obins Street, which is very narrow, is 99% Nationalist — four times on the Twelfth and four times on the Thirteenth, and there was one parade on the Garvaghy Road (the church parade). Nationalists bitterly resented the fact that on the evening before the Twelfth they had to move their cars from outside their own doors into side streets. For the whole of the morning of the Twelfth and most of the rest of that day they were confined in the side streets, with a huge police presence to ensure that the Loyal Orders' parades could go through without let or hindrance. *[Interruption]*

I thought that the best way to deal with the situation would be to give the Nationalist community in Portadown the same rights — to allow Nationalists to finish what was a circular route from Garvaghy to the Tunnel and then proceed along Park Road. Permission was granted, but on the morning of St Patrick's Day in 1984 the participants were stopped by groups of people who gathered in the centre of the road with cudgels and stones. These people said that the parade would be blocked as there were Unionists living in the Park Road area.

On that day the police told St Patrick's Band — an innocuous band not displaying a Tricolour or other emblem of any description, apart from a banner depicting St Patrick — that it could not go through. They said "We cannot put you through, for there will be a breach of the peace." The threat of violence was used to prevent Nationalists from doing in that area what the Loyal Orders had been doing for years in Nationalist areas.

**Mr Shannon:** Will the Member give way?

**Ms Rodgers:** I will not give way.

It was very clear that in Portadown there was one law for one section of the community and another law for the other. As that was intolerable the Loyal Order parades through the Tunnel area were stopped — and rightly so. *[Interruption]*

Let me correct the assertion that the number of Loyalist parades in Portadown has been reduced to one. There is a significant number of other Loyal Order marches, but they do not seem to count. We are told all the time that there used to be 10 parades and now there is one. Ten went through the very small Nationalist enclave. The others continue to go through the rest of Portadown. The fact that they do not seem to count sends a clear message to the Nationalist people. *[Interruption]*

What is the purpose of insisting on going through a Nationalist area when there is a perfectly viable alternative? For instance, why return from church by the Garvaghy Road when the outward route could be used? Why is there no sense of proportion? Nobody is preventing the Loyal Orders from returning from church. They are simply being asked to go back the way they came or to talk to the people who live in that small Nationalist area. They should recognise that this is a conflict of rights — the right of freedom of assembly and the right of a community to live in peace.

And it is not just a matter of the 10-minute march; there is the evening before, as well as the Sunday morning.

**Mr Paisley Jnr:** Why is there violence?

**Ms Rodgers:** There has been no threat of violence. There were threats of violence in 1996, but they did not come from the Nationalist community. There were similar threats in 1997, but they did not come from the Nationalist community, as was confirmed by the Chief Constable, who said that they amounted to subversion of the state.

The point is made that the Garvaghy Road is a public highway. In that case, how is it that Nationalists are not free to go into the centre of Portadown? A young man called Robert Hamill was kicked to death in the centre of the town on his way home from an innocent leisure activity. A young man called Adrian Lamph, who was going about his work, was shot dead because he was in a part of the town that is not thought of as Nationalist.

For members of the Nationalist community the Garvaghy Road is the centre of Portadown. It is the only place where they can socialise and are not afraid to go out of their own doors. It is very much a Nationalist area.

The only way in which this conflict of rights can be resolved is through dialogue. Rights are not absolute; one must respect the rights of others. In the last two years people have insisted on imposing a march on a small Nationalist part of Portadown. The wishes and views of residents have been ignored.

The Parades Commission has made a determination. In my view, it is the correct determination, but it was not necessary, for dialogue, I am quite certain, could have led to accommodation. The people who live in the Nationalist Garvaghy Road area want nothing more and nothing less than to be treated with the same respect as the rest of the community. They want their rights to be recognised and respected. They want dialogue with the Loyal Orders and with the Unionist community so that they can explain how they feel and find out how others feel. They want an accommodation, but they cannot compromise with people who simply will not listen to them.



The ideal way to resolve any conflict is through dialogue. I wish we could have the same spirit in Portadown as we had in the talks in Castle Buildings, where people with very different views and very strong feelings entered into dialogue. An accommodation was reached without sacrifice of principle or change in fundamental identity on either side. *[Interruption]*

That could have been the template for Portadown: people coming together, learning to build understanding, creating a new situation and reaching an accommodation. But it did not happen, and the Parades Commission could only apply its own guidelines in making its determination. About 10 days ago the Chief Constable made it clear that he would implement whatever decision was reached.

9.30 pm

We are now in a situation with very serious implications, not just for the communities in Portadown but for the whole of Northern Ireland. I therefore appeal — even at this late stage — to those people in Portadown who refuse to recognise that this is a conflict of two rights, whose resolution requires dialogue, to accept that people's views must be respected and that understanding must be built.

Nothing is impossible between people of goodwill, and I know that the Nationalist community in Portadown — I have just had a resounding endorsement from them — want an accommodation. But it must be an accommodation which gives them rights equal to those of the Loyalist and Unionist community. At this late stage I appeal for dialogue.

**Rev Dr Ian Paisley:** I am glad that we are having this debate, for the Assembly is the place to discuss such matters. It was completely wrong for some parties to make the case through the press that Drumcree is not a matter for this forum. The Assembly will be useless if it does not deal head-on with matters of conflict.

Ms Rodgers will not convince anybody that the people she has been defending tonight never engaged in violence. Who attacked the half dozen or so junior Orangemen? We are told that Roman Catholics or Nationalists or Republicans cannot go into Portadown. In fact, they can go in and blow it to pieces.

Let us get the facts. This is not an Orange service; it is a parish church service to which Orangemen are invited. There are distinctly Orange services for which the use of a church is requested and at which an Orange chaplain preaches. The Drumcree arrangement has been in force for nearly 200 years.

The Agreement refers to  
“rights, safeguards and equality of opportunity”.

That includes the right to freedom and expression of religion. These Orangemen have expressed their religious beliefs. They have gone to and returned from that church. Mr Adams, who is a Member of the Assembly, told us that this matter had been worked on for a very long time and that people would not let go. He told us that we would have more of what we have had. This is a well-orchestrated Republican attack upon a Protestant community expressing their religious convictions and going to their place of worship.

Ms Rodgers's talk about Nationalists not being allowed to walk in Protestant areas is nonsense. If she knew anything about North Antrim or County Londonderry she would know that Hibernian parades go through Protestant areas, as they have for a very long time. Nothing is said because these are traditional parades. What people have been doing for many years should be permitted to continue.

Southern Irish politicians started to interfere in Ulster's affairs by attacking the Public Order Act because of the safeguards it provided for traditional parades. The provisions were removed, and almost every Unionist Member of Parliament who made a protest was taken to court and given a prison sentence. We served the sentences to expose legislation whose purpose was to destroy religious freedom.

Anybody who does not want to see people coming down from the church service does not have to be there. Those who object block the road, but the authorities treat the Orangemen as lawbreakers. That lies at the heart of this conflict. Mr McKenna, who is, I understand, a convicted terrorist, tells us that until Orangemen talk to him they will not be permitted to walk along the Queen's highway.

I have heard it said over and over again in the media that the Orangemen want to walk through a Roman Catholic housing estate. Ms Rodgers knows very well that this is a main road into a Protestant town. Anyone listening to her would think that Portadown was not a Protestant town, that the Nationalists had a right to take it over. Tonight the Orangemen and the Protestant people of Northern Ireland have been maligned. It has been said that Orangemen want to walk through Roman Catholic housing estates. The parade in question comes down a main road into the Protestant capital of County Armagh — which is what Portadown is.

As for the Parades Commission, I asked many young people if they knew the expression “Croppies lie down.” None of them did. It occurs in ‘The Oul’ Orange Flute’, but today not many people know the words of that song. The Parades Commission lies when it says that Portadown has a “Croppies lie down” environment.

The Protestants of Portadown are decent people who live well with their Roman Catholic neighbours. Everybody knows that. Let Ms Rodgers tell us who regularly attacks the Protestants at the bottom of the Garvaghy Road. Are the attackers some strangers from darkest Africa? No.

The people of this country will never tolerate a situation in which they cannot exercise their rights without going to a convicted terrorist and asking if they may talk with him. The law should treat us all equally. Several Members present, including Mr Adams, had open-air gospel meetings banned by the police to enable parades to take place in the centre of Belfast. Followers of the Member desecrated the statue of Queen Victoria, hung tricolours all around the place, and wanted to put a fake bomb on the dome of the city hall. And we are supposed to give in to all this.

The time has come to accept that people should be allowed to proceed to and from their church as they have done for 200 years.

**Ms O'Hagan:** Go raibh maith agat a Chathaoirligh. Tá áthas orm a bheith anseo agus a labhairt do na daoine anseo ar son Sinn Féin. I am making this submission on behalf of Sinn Féin.

Like David Trimble, who, unfortunately, is not here, I represent Upper Bann. I appeal to Mr Trimble as MP and an Assembly Member for the area, as well as a leading Orangeman associated with the march at Drumcree. But in particular I appeal to him as the First Minister (Designate) of the North of Ireland. He represents all the people of the North, and I ask him to act speedily to defuse the situation this weekend.

The majority of people on this island voted in the referenda for accommodation and consensus as a way of solving our many problems. Accommodation and consensus can be reached only by dialogue. As an advocate of the Agreement Mr Trimble has a duty to meet the residents of the Garvaghy Road.

I call on the First Minister (Designate) to encourage the Orange Order to voluntarily re-route its parade. There is an alternative. The residents of the Garvaghy Road have been subjected to violence and intimidation. Their community is under siege. They are prevented from going about their lawful business. Much has been made of the fact that the Orange parade is from a church service. Let it be remembered that residents of the Garvaghy Road were prevented from going to their church service last year because of the Orange parade.

**Mr Clyde:** Will the Member give way?

**Ms O'Hagan:** No.

The Good Friday Agreement affirms the right to freedom from sectarian harassment. That should include

the residents of the Garvaghy Road. I was glad to hear Mr Trimble and Dr Paisley refer to issues such as the rule of law. Mr Trimble mentioned the removal of blockages that prevent people from going about their business. I agree totally with what he said. The Orange Order and the Unionist leadership need to make it clear that this weekend there will be no blockades, that people throughout this state will have freedom of movement.

Incidentally, it was reported in the media today that the picket at Harryville Catholic Church is to begin again this weekend. If so, it is a disgrace.

Much has been made of the fact that the Portadown Orangemen will be going to a church service at Drumcree. It should be remembered that the founder of the Christian church to which so many people here pledge allegiance said that you should love not only your neighbour but also your enemy. Surely people who go to church services should at least talk to their neighbours. Gerry Adams has put it on public record that he is prepared to go anywhere at any time to meet anyone for the purpose of ensuring that the marching months will be quiet and peaceful. He has also said that the residents of the Garvaghy Road and other areas, such as the Ormeau Road, should not be put under any pressure.

Finally, on behalf of Sinn Féin, I call on all citizens in the Six Counties to be calm and to exercise restraint this weekend and in the days and months ahead.

Go raibh maith agat.

9.45 pm

**Mr Adams:** I was not going to intervene, for I know that women Members are quite capable of stating their positions. However, when some male Members hear women talking sense they behave like ill-mannered pups. You, Mr Initial Presiding Officer, should rule on this. I thought Ms Rodgers was treated disgracefully by some Members. *[Interruption]*

**The Initial Presiding Officer:** It is important that we treat each other with the greatest respect. However, this is a political forum, and from time to time there will be some toing and froing. But it would be particularly invidious if female Members were treated less well than their male counterparts. Of course, the same applies in reverse, but at present the risk seems very small.

**Mr Ford:** We are ending today's business with a rather sad debate which reflects the tension outside the Chamber — rather sad because it comes at the end of a day on which we have made considerable progress with the task that we were set. It is desirable that difficulties over parades should be settled through local accommodation.

In recent years there has not been local agreement, which is why we have the Parades Commission to impose decisions. What else could we expect?

In some places the situation is different from that at Drumcree, where there appears to be no genuine attempt at negotiation. The megaphone diplomacy that is being indulged in by some Members following the decision by the Parades Commission is no substitute.

Those sections of the Orange Order and the other Loyal Orders that have sought accommodation, as well as those who have assisted through civil or church positions, deserve credit. For instance, a band parade in Crumlin, which is in my constituency, was cancelled in order to lower tension. I welcome that genuine demonstration of good faith. And genuine efforts are being made to find a solution to difficulties over the 13 July parade. It is regrettable that just after the Crumlin parade had been called off, others attempted to whip up hysteria by distributing leaflets alleging that there would be curfews and by nailing tricolours to telegraph poles on the main street.

By the same token, the suggestion that the picket of Our Lady's Church in Harryville should be resumed is utterly reprehensible. There never was any connection between Dunloy and Harryville. There never was any attempt to prevent ordinary worshippers from proceeding to Dunloy Presbyterian Church. There should never have been a Harryville picket, and the suggestion that it should be resumed because of events not 15 miles away but 40 miles away is utterly disgusting.

The Orange Order has shown in some areas that it is prepared to be positive and to seek an accommodation, and it deserves credit for that. Residents' groups in some areas have made similar efforts.

Today some people sought to reach an accommodation in this Chamber. We all have a responsibility to do the same outside. Backbiting and recrimination such as we have seen during the last half hour should not be encouraged.

**Mr McCartney:** I take the view that all parades that are essentially lawful and not in themselves provocative should be allowed to proceed. That applies to Orange parades in areas with a preponderance of Nationalists and to Ancient Order of Hibernians parades in areas which are predominantly Protestant.

The right of public process, which is enshrined in every Western democracy and is embedded in many Constitutions, is based upon the principle that, provided that a parade is itself lawful, is for a lawful purpose and is not conducted in a provocative way likely to cause difficulty or to insult people of a different religion or race, it should be allowed to proceed. Unfortunately, in the Public Order (Northern Ireland) Order of 1987 the

Government went against that concept and introduced the principle that if a parade were likely to cause significant public disorder it could be banned.

This change in the law provided a protestors' charter: if you can engage, excite and agitate a number of protestors sufficiently large to give rise to a substantial risk of public disorder between them and people parading lawfully the authorities have to decide whether that risk is greater or smaller than the risk of disorder as a result of the parade's being banned. In making this fundamental change to a principle so well established in every Constitution the Government of the day made a basic error which has given rise to much of the difficulty in which we now find ourselves.

It was not very long before those engaged in civil disturbance and those engaged in active terrorism — bombing, murder, mayhem, pillage — realised that this had the potential to increase civil disturbance. Indeed, when it became apparent that it might be necessary, for political purposes, for certain violent Republican elements to cease their overt terrorism — bombing and shooting — while there was what was called a complete cessation of military activities against the security forces, they opened a second front, which could be employed to create civil agitation and to keep the two communities at each other's throats. So much for the formal cease-fire that was said to be in operation.

It was against that background that Mr Adams stated on Telefís Éireann that the disturbances on the Garvaghy Road, in Derry and on the lower Ormeau Road were not just spontaneous expressions of oppression by the people in those areas. Mr Adams told the viewers that those disturbances were the result of years of work by Sinn Féin activists, and it is not surprising that post-1994, when the IRA and Sinn Féin entered into some kind of formal cease-fire, there was a vast increase in the amount of civil disturbance and inter-communal hatred. It was in 1994, 1995 and 1996 that Republican Sinn Féin upped the ante in all these areas of its second front.

The central figure in each area of conflict — one thinks of the gentleman on the Garvaghy Road and of Mr Rice in the lower Ormeau — has a well-documented record of terrorist activity. Indeed, the gentleman in Portadown, as the leader of the Ulster Unionist Party has pointed out, has a record of involvement in blowing up the British Legion hall. So what we are seeing is not, as Ms Rodgers would have us believe, a spontaneous revolt by the people of the Garvaghy Road against oppressors.

I am not an Orangeman, but some of the most decent men I have ever met are members of the Loyal Order. When I see gentlemen — most of them elderly — parading down that road for 15 minutes I find it very



difficult to believe that they are going to turn into rabid Protestant bigots attacking the residents.

If members of the Parades Commission had bothered on any other Sunday of the year to go to the Garvaghy Road at the time of the homeward parade they might have found it difficult to come across any pedestrians at all. Many of the houses are set back from the road, with only the gable walls facing it. Ms Rodgers said that people were cooped up in their homes from the night before the parade. But that is because it is now established practice that violent people bring out their stores of stones, petrol bombs and all sorts of other equipment.

No one has told us why a couple of dozen juveniles — boys up to the age of 12 — were violently attacked. We have not been told why on the Springfield Road, a week past on Saturday, there were scenes of violent protest about a parade which could not be seen. The march was taking place more than half a mile away, and the accompanying music could barely be heard.

We have entered a phase in which people are demonstrating triumphalism of the worst kind. Witness the Garvaghy Road. People are being forced to seek the permission of convicted ex-terrorists to do what they have been doing peacefully for many years.

Were it not for Mr Adams's activists, a solution to the problem between those who reside on the Garvaghy Road and the Orangemen could have been found long ago. Indeed, there are people in the lower Ormeau, like Mr McKenna, who have circulated many residents and found that a large number of them would have no objection to a parade provided that it was lawful, lawfully conducted and not provocative and that it did not cause insult or indignity for those living in the area.

People should not have to suffer insults or indignity. They should not be subjected to provocative music that they find offensive. But, as one who believes in a pluralist and constitutional state, I say that they have absolutely no right to claim that an area they regard as theirs should be prohibited to others conducting themselves in a lawful and non-provocative way.

*10.00 pm*

That is the essence of pluralism, and it is what violent Republicanism is determined to deny the Orangemen in the case of the Garvaghy Road. The Parades Commission's decision could easily have been foreseen. It was based on weakness and on unwillingness to uphold the rule of law. Sinn Féin's presence in this building and its goodwill are necessary for the resolution of conflict between Sinn Féin/IRA and the British state. The purpose is not to protect us but to protect the city of London.

**Mr Ervine:** This is undoubtedly a difficult subject, and I would like to address many of my comments to Sinn Féin. What they have heard from the leaders of Unionism — much as they may dislike those people — is an extremely accurate description of the feelings in the Unionist community, and it would be ridiculous for me to add to or take away from it.

I thought that the Agreement was about creating peaceful coexistence. Surely that is why we are here. Sinn Féin would say that they have had a long, hard struggle to get to here, and there are theorists who created the micro to match the macro. The micro was the parades issue — the search for legitimacy — but what was created was a no-lose situation from a Unionist perspective. Let me give names: Mr Breandan MacCionnaith, Mr Dominic MacNiallais and Mr Gerard Rice, all of whom have convictions for Republican violence. Sinn Féin knew exactly what the reaction of the Unionist community would be. They find strategies very easy. They can often tell exactly what our reaction will be.

The Unionist community refused to talk, and that copper-fastened the attitude of the ordinary Catholic, whom Sinn Féin were able to manipulate by saying "We told you these people would never give us a place in the sun." That is the game that was being played.

Is the micro to match the macro? The macro is the negotiation process which at an earlier stage Sinn Féin could not enter, though they now find themselves here trying to manage an extremely difficult situation.

We have not provided conflict resolution. This is a process of conflict transformation — transformation from violence to politics — about which, as has been pointed out several times today, I know a fair bit. Indeed, there are other such people on this side of the Chamber and maybe, as was suggested earlier, a few who were never captured. The important thing is that there are people struggling — genuinely struggling — to create a situation which is better for our children and our children's children.

Let us assume that I am wrong, that I can be kind to Sinn Féin by accepting that all of this is merely a perception. I do not believe that, having looked at the bigger picture, they are showing any commitment to defusing the situation. The larger picture is undoubtedly what we need to have in front of us. If we allow destabilisation to occur, it will be much more difficult to cope in the months ahead.

I therefore encourage Sinn Féin, the Social Democratic and Labour Party and whatever elements of Unionism can manage to do it to enter dialogue, to explain to people that the bigger picture is vitally important. Sinn Féin may ask "Would the Orangemen not understand the bigger picture?" Alas the perception



again is of destabilisation. It did not begin where Mr McCartney suggested; it began with Mr Adams talking about angry voices and marching feet and a long, hot summer.

We have had difficulties over parades before. In 1963, when I was only 10 years old, I got clouted heavily when the Stormont Government re-routed a parade. Did we forget that? The issue has been around for a long time. From a Unionist perspective — like it or loathe it — I have to say that you may believe in this Agreement and think that it can achieve reasonable co-existence (whether or not people are right-wingers or fools who say “Step ye from among them and touch not the unclean”) but you must accept that it cannot work without us.

It is very clear from the election of a First Minister and a Deputy First Minister that we recognise the interdependence of the two traditions. I appeal to Sinn Féin to ask people to make what they might perceive to be a sacrifice so that we can concentrate on the bigger picture. The people of Portadown feel pain with regard to Mr MacCionnaith. He may be out of control, and Sinn Féin, in putting such people up to argue the toss about legitimacy, may well have created little monsters.

Let someone show me that that perception is wrong. I need to be able to go to my very volatile community, especially when it feels that there is an attempt to subjugate its culture and endanger peaceful coexistence. Subjugation can play no part. Indeed, in a divided society — a zero-sum society, a “them and us” society — subjugation must not play any part, for that would create an explosive situation, which would put us in deep trouble.

Some Members have made it much easier for me to directly engage Mr Adams. I used to get into trouble for it, but the fact that most other Members have directly engaged him has broken ground that I can now walk on. I ask Mr Adams to take serious cognisance of the fears and difficulties of the Unionist community. Unionists feel that they are being subjugated and destabilised. Some efforts ought to be made to get us through next week for the sake of our children and our children's children. We must look at the big picture.

**Ms Morrice:** This debate, in which such a wide variety of views have been expressed, has been very valuable. The Women's Coalition, like every other party, accepts the right to march, but, as other Members have said, rights must be exercised responsibly. We must take account of how such expression impacts on others. That is the essence of this issue.

The Women's Coalition has always said that where two sets of rights are in conflict the only appropriate course is dialogue with a view to reaching an accommodation. That is what has been happening in

this debate. We will continue to do all we can to promote dialogue. In the absence of an accommodation it is unfortunately necessary for an outside body to adjudicate. We call on everyone to abide by the adjudication of the Parades Commission. It is absolutely unacceptable for any group to use the threat of civil unrest to get its own way.

It is also very important to put this parade in context: we are not talking about preventing Orangemen from marching or about undermining their identity. Furthermore, the Orangemen will not be prevented from reaching their service. There will be more than 700 marches this year. The Parades Commission has had to adjudicate on only seven of these and has not re-routed in every case. We do not want to see another summer in which people have to flee the country, with planes leaving Belfast full, and planes returning empty. This is the holiday season when we should be attracting tourists. It is entirely wrong to hold Northern Ireland to ransom.

We understand that there are difficulties and challenges on both sides, but we believe that it is unacceptable for any group to impede the democratic process, particularly the Agreement, which was endorsed by the vast majority and which enshrines the principle of consent.

We urge all those in positions of influence to use their influence constructively to secure the political leadership needed to reach an accommodation on this crucial issue. For its part, the Women's Coalition will continue to do whatever it can to promote dialogue and to support positive leadership.

**Mr Watson:** As one who did not take part in the talks process, I have a question for all those Members who have been involved for the last two years. How often during that period did they consider the parades issue? Whether they like it or not, it is an integral part of life in Northern Ireland. They need not, like Pilate, wash their hands.

This is a very important occasion, for the Assembly brings renewed hope of a return to democracy. Accommodation, not segregation, is the way forward if we are to have permanent peace and stability. I agree with Mr Trimble's comments about the background to the Portadown parades. Orangemen go to Drumcree church to commemorate the Battle of the Somme — whose eighty-second anniversary we celebrate today — in which people from all communities throughout these islands gave their lives for our liberty.

I am one of those who spent most of last year going round these islands and further afield trying to resolve the situation in Portadown, so I speak with some authority. It is very disappointing that the discredited Government quango reversed the decision of last year.

The officers and brethren of Portadown district return from Drumcree church peacefully and in a dignified manner along the Garvaghy Road. Let me quote the 'Daily Mail' of 7 July:

"Down the middle of the road, silently and without looking left or right, walked the Orangemen of Portadown District. They neither swaggered nor strutted. From behind the Land Rovers, police and soldiers lining the road came screams of 'Orange Bastards!' from men, women and small children."

And here is an extract from the 'Daily Express' of 8 July:

"The Drumcree Orangemen were right to march down the Garvaghy Road, and cannot be blamed for the malicious violence and well planned vandalism which followed their modest and peaceful parade."

I am one of those who last year sent a letter to the residents of the road. It was interesting to receive many replies indicating that people were happy to allow the brethren to march. That should not be forgotten. If any Member wants to see copies I will be more than happy to provide them.

**Mrs I Robinson:** Minus the addresses.

**Mr Watson:** Yes, minus the addresses.

When the go-ahead was given, what happened? Republicans launched a well-planned, well-orchestrated orgy of destruction, violence and hatred, not only along the route of the parade but throughout the province. The Orange brethren paraded silently and with great dignity. It is interesting that people had to leave their Sunday lunch. On any other Sunday at the same time there are very few people about. The court cases revealed that people had to travel a fair distance to be offended.

*10.15 pm*

Churchill Park contains approximately 200 houses, only five of which face the Garvaghy Road; in the Beeches estate there are about 100 houses, only five of which face the road; Garvaghy Park contains approximately 100 houses, only 10 of which face the road; Ballyoran Park has about 500 houses, of which only 46 face the Garvaghy or Drumcree Road.

Why has this happened? It started in 1972, on 12 July, when a brother Orangeman was shot dead on the road. Since then there has been intimidation and pillage. I know of a Protestant gentleman who used to take Catholic children to school every morning. One evening he was told "We have made alternative arrangements for tomorrow." The following morning, when he switched on the ignition, the car blew up, and he was killed. But these things are forgotten. And now there are at least 50 Irish tricolours right down towards the Protestant part of the road.

Last year a person who is now a Member of the Assembly said "Ask any activist in the North 'Did

Drumcree happen by accident?' and he will say 'No.'." The opposition to Orange parades has clearly been manipulated by Sinn Féin/IRA — through intimidation, I suggest. It is clear that the Republican community is intolerant of all things British and will continue to strive for cultural apartheid. That did not work in South Africa, and it will not work here.

Here is what a resident wrote to the 'Portadown Times' on 12 July last:

"When I recall the violence of the past few years I ask myself what has been achieved? Has our community in the Garvaghy Road gained anything? Have we shown people of a different faith that we wish them to continue living in our community without fear?"

This is the kind of response we have been getting from people on the road. What has changed since 6 July last year? The Orange Institution made a magnanimous gesture, wrong-footing Sinn Féin/IRA, on 10 July when it re-routed four parades. What recognition did it get? Everybody talked about the moral high ground, but the Government imposed draconian legislation on us.

It should not be forgotten that five weeks ago some 160 petrol bombs and six shrapnel bombs were used against junior Orangemen — boys aged between six and 11 peacefully celebrating their culture. And within the last few weeks another 16 crates of milk bottles have been found. It will hardly surprise anyone to hear that they were not going to be refilled with milk. It seems that some residents of the Garvaghy Road are determined to cause trouble come what may.

As the county grand master of Armagh, who four weeks ago had no intention of being involved in politics, I want to say that people should make no mistake about the Portadown brethren. They are prepared to stand one day, 31 days, 365 days, or as long as it takes for their basic civil and religious liberty to be upheld. There were 10 parades on that road, nine of which have been given up voluntarily. We have only one parade now, and the brethren are not prepared to be suppressed any further. What is happening is wrong. Orangemen feel that the only cry coming from the road is that there will be no Orange feet on it.

Contrary to what some people have been telling Members, work went on behind the scenes last year and this year. Indeed, it continues. I am one of those who travelled to the carpet mills in 1996. One of the things on offer then was recognition of rights of both communities, including the right to hold St Patrick's Day parades. But the Nationalist people of the road did not want to know.

I repeat that accommodation, not segregation, is the way forward. In this era of tolerance and mutual respect I appeal to the residents of Garvaghy Road to show tolerance. Members who have influence in the Nationalist community should use it wisely.

Wednesday 1 July 1998

Orange Institution Parade (Drumcree)

Finally, I appeal to the Government to overturn this iniquitous decision.

**The Initial Presiding Officer:** The House will meet again on Monday 14 September 1998. May I wish all

Members and the community a peaceful and, insofar as is possible, restful summer.

*The Assembly was adjourned at 10.20 pm to Monday 14 September 1998, at a time and in a place to be determined by the Secretary of State.*





# THE NEW NORTHERN IRELAND ASSEMBLY

Monday 14 September 1998

The Assembly met at 10.30 am (The Initial Presiding Officer (The Lord Alderdice of Knock) in the Chair).

**The Initial Presiding Officer:** The House is aware that, under the terms of Initial Standing Order 5(1), two minutes' silence is to be observed at the beginning of each day's business, and Members may spend this period in personal prayer or meditation. As this is the first sitting of the Assembly since 1 July I propose — by leave of the Assembly — that we stand for the period of reflection and that we extend it to four minutes in memory of those who since we last met have had their lives so brutally and tragically taken from them and in sympathy with the bereaved and the injured.

Will Members please stand.

*Members observed four minutes' silence.*

## PRESIDING OFFICER'S BUSINESS

**The Initial Presiding Officer:** In view of the mandates given by the House on 1 July 1998 that reports be presented by the First and Deputy First Minister(s) and by the Committee on Standing Orders by this date, I wrote to the Secretary of State advising her of the necessity for a sitting of the Assembly. I have received the following letter from Mr Paul Murphy, the Minister of State, on her behalf:

“Thank you for your letter of 7 September addressed to ... [the Secretary of State], who, as you know, is presently on leave.

By virtue of paragraph 1 of the Schedule to the Northern Ireland (Elections) Act 1998 it falls to the Secretary of State to determine where meetings of the Assembly shall be held, and when.

In the light of your indication of the wishes of Assembly Members, the Secretary of State hereby directs that the Assembly shall meet at Parliament Buildings, Stormont at 10.30 am on Monday 14 September until 6.00 pm on Wednesday 30 September.

The Secretary of State will consider making a further direction as respects this period, in particular in the light of any indications she receives as to the wishes of Assembly Members after the Assembly has begun to meet.”

Before we proceed, it is only right for the Assembly to recognise that an extraordinary amount of work has been done by its staff, by various contractors and, indeed, by others outside. Members will know that some staff have worked exceptionally diligently, often over weekends and far into the night. By leave of the Assembly I ask that our appreciation be conveyed, through the Deputy Clerk, to all concerned.

**Mr Maskey:** I would like to address you as “Cathaoirleach”, which is the Irish for “Chairperson”.

First, the British Secretary of State has, of course, designated Parliament Buildings as the location for the Assembly. We shall return to this matter in due course, for we have a number of concerns.

Secondly, the Agreement provides for and encourages the promotion of the Irish language, among others. Therefore the provision of simultaneous translation facilities is another matter to which we shall return in due course.

**The Initial Presiding Officer:** It is for the Assembly to decide where to meet after what is described in the Northern Ireland (Elections) Act 1998 as the appointed day — the day on which power is devolved. The Assembly is entirely at liberty to have discussions and to make its own decisions. I wish simply, without prejudice, to express appreciation to those staff who have worked extremely hard to ensure that we are provided with facilities for the present.

The question of the Irish language and Ulster Scots was raised at the last sitting and in the interim. We have made arrangements for the transcription — translation could not be arranged at this stage — of Irish and Ulster Scots in the Official Report.

A Civil Service trawl has not resulted in our obtaining competent transcribers, so we will have to advertise outside the Service. That matter is proceeding, but in the meantime appropriate arrangements have been made to ensure that Assembly business is properly recorded.

Simultaneous translation is an entirely different matter, which the Assembly will need to discuss later. I have not yet taken action in that regard.

**Rev Dr Ian Paisley:** Can it be made clear to Members that if they choose to speak in a language not known by all Members, that will be included in

their time? They cannot speak in a language unknown to some Members and then have additional time to speak in English.

**The Initial Presiding Officer:** I am happy to repeat what I said previously and to affirm that what Dr Paisley says is correct. The amount of time that Members have is not altered by the language in which they speak. I have already requested that Members using a language other than English translate for the sake of other Members.

**Mrs de Brún:** Ag leanstan ar aghaidh uaidh sin, sílim go bhfuil sé go hiomlán cothrom dá má rud é go bhfuil mise ag labhairt i nGaeilge, nó duine ar bith eile ag labhairt i nGaeilge, go bhfuil an t-am ceannann céanna agamsa agus atá ag gach aon duine eile. Ach, má tá mé ag tabhairt aistriúcháin do dhaoine eile — *[Interruption]*

**The Initial Presiding Officer:** Order.

**Mrs de Brún:** — ba chóir go mbeadh breis ama agam leis an aistriúchán sin a chur ar fáil.

If I or any other Member wishes to speak in Irish it is only right that we be given the same amount of time as someone speaking in any other language. If, for the benefit of other Members, in the absence of a translation system, I have to spend time saying in English what I have said in Irish, that time must be separate. If I am asked to provide such a service for Members who do not speak Irish, but am not given extra time to do so, I will not have the same speaking time as others.

**The Initial Presiding Officer:** I appreciate your view, but the decision as to what facilities are available still rests with the Secretary of State. It is not yet the decision of the Assembly. When the Assembly has power to make its own decisions — for example, when and how to meet — it can address this matter. When one speaks, it is not only for the benefit of one's listeners but, given that one is trying to communicate with others, also for one's own benefit to make oneself understood. Therefore translation is equally important to the person speaking and to those listening. Thus I appeal to Members to be courteous to each other by making themselves understandable.

The question Mrs de Brún raises is, in effect, that of simultaneous translation — something which will have to be debated by the Assembly. At this stage I have given the only ruling that I think proper.

**Mr C Wilson:** I believe that it is the view of the majority of Members that this is a huge waste of Assembly time and of taxpayers' money. Everyone in this Chamber is perfectly capable of addressing Members in English and being understood fully. I have placed my concerns with you, Mr Presiding Officer, and the Business Committee and will continue to take that position.

**Mr Maskey:** I wanted to draw attention to two issues to which we will return. Mr Wilson certainly does not speak on behalf of a majority of Members.

10.45 am

**The Initial Presiding Officer:** As regards expenditure, members of the Hansard staff employed to transcribe Irish or Ulster-Scots will also be doing the normal editing in English. The Assembly will return to this matter. I wish simply to make a ruling until it can be considered more fully.

**Ms Rodgers:** The best way to resolve the matter is for a translation service to be provided as soon as possible so that Members can speak in whatever language they choose. As has been said, the Agreement gives equality of esteem to both languages and, indeed, to Ullans.

**The Initial Presiding Officer:** This is undoubtedly a matter on which the Assembly will wish to consult, but those who want to pursue it in the meantime should remember that decisions about the facilities and funding to be made available to us are currently the prerogative of the Secretary of State. Anyone wishing to raise such an issue should do so with her.

**Rev Dr Ian Paisley:** There has been much comment in the press about the facilities in the House. I wonder why nothing has been said about the elaborate bar that is being provided in the basement. That is very strange. In the society in which I was brought up, people would say

"A bar to him and a door to hell.

Whoever named it named it well."

Maybe for those reasons they did not want to name it, but it ill becomes the press to pass judgement on others when they are not prepared to judge themselves.

**The Initial Presiding Officer:** The Member will be aware that in other places refreshment facilities of that kind have particular names. He may be interested to know that when a straw poll on what that establishment might be called was taken, it was suggested that "Place of the Devil's Buttermilk" would be very suitable.

**Mr Shannon:** Heich Convenor, those of us in the Chamber who would like to use the Ulster Scots language are quite happy to have the time for translation included in our 10-minute allocation. I hope that other Members will adopt the same approach.

**The Initial Presiding Officer:** Members will be aware that the Committee on Standing Orders has commented on the draft Additional Standing Orders which the Secretary of State was of a mind to implement today. I have been advised by the Joint Chairmen of the Committee that a response has now

been received from the Minister of State indicating that the making of Additional Standing Orders will be deferred until the Assembly has completed its consideration of the interim report from the Committee on Standing Orders later today in case any more points arise in the debate. With the agreement of the Joint Chairmen, copies of the Minister's response have been left in Members' pigeon-holes on the second floor.

I would like to remind Members of the Assembly, members of the press and others that, under paragraph 8 of the schedule to the Northern Ireland (Elections) Act 1998, the privilege given to Members speaking in the House is qualified. It is not the absolute privilege which pertains in other assemblies and which will apply here when the Assembly takes power on the appointed day as set out in the Act. The relevant provision says

"A written or oral statement made by a Member in or for the purposes of the Assembly (or any Committee it may establish) shall be privileged from action for defamation unless it is proved to have been made with malice."

I have discussed this matter with the Government. It is currently under consideration.

With regard to the debate on the interim report from the First Minister (Designate) and the Deputy First Minister (Designate), background-material papers have been placed in the Library, and additional copies are available on request. These are obtainable in Room 8.

**Mr P Robinson:** It seems quite inappropriate for the First Minister (Designate) and the Deputy First Minister (Designate) to produce a report and simply table it for Members. As the report is devoid of substance, that is not a problem today. If there were some substance — for instance, a proposal capable of amendment — we would need more time to deal with it. On this occasion, however, it is not a problem.

**The Initial Presiding Officer:** You are quite right to draw attention to the procedural question of how far in advance Members need to have sight of reports and other papers. It is generally appreciated that reports should not be widely distributed before they are presented in the Assembly. The Assembly has the right to see them before others do, although in other places Front-Bench spokesmen are often given sight of material shortly — perhaps an hour or so — before it is presented. Whether this should be considered by the Standing Orders Committee, or whether it is a matter of a convention to be understood by Whips' offices or others, is something for the Assembly to decide.

When Assembly Members sign the Roll they register a designation — "Unionist", "Nationalist" or "Other". It is also the practice to give the name of the party to which they belong. Members will know from the draft

Standing Orders that the Secretary of State also wishes to establish a register of political parties. At this juncture there is no Standing Order dealing with the question of those who wish to identify themselves as belonging to a political party other than the one for which they stood in the election.

I have received from Mr Agnew, Mr Douglas and Mr Watson a note saying that, following discussion, they have agreed to form a United Unionist Assembly Party, with Mr Watson as Leader. There is no Standing Order under which to give a ruling, or to assist with giving a ruling, on how they should now be treated. The nearest Standing Order is the one dealing with the signing of the Roll and the registering of a designation. Seven days' notice of any change of designation is required.

I have discussed this with the parties, and it has been accepted that, in the absence of a new Standing Order which would clarify the matter, we should apply the seven days' written notice Rule. The party will therefore be formally recognised in seven days' time, and any arrangements in respect of it will become substantive then.

## ASSEMBLY: ROLL OF MEMBERS

**The Initial Presiding Officer:** As not all Members were present on 1 July, some have not signed the Roll. I invite those who have yet to do so to sign the Roll and to register the designation of identity required by the Initial Standing Orders.

The following Members signed the Roll: Frazer Agnew, Sue Ramsey, Pat Doherty.

**The Initial Presiding Officer:** I have examined the three signatures and designations, and all appear to be in order.

## ASSEMBLY: "SHADOW" COMMISSION

Motion made:

That this Assembly should proceed to establish a "Shadow" Commission to assist during the transitional period in making preparations for the effective functioning of the Assembly — the membership and functions of the "Shadow" Commission being the same as those set out for the Commission in the Northern Ireland Bill.

Terms of Reference: The "Shadow" Commission will consider matters relevant to providing the Assembly

with the property, staff and services required for the Assembly's purposes.

Composition: Initial Presiding Officer  
Rev Robert Coulter  
Mr John Fee  
Mr Peter Robinson MP  
Mr Francie Molloy  
Mrs Eileen Bell

Quorum: The Commission will decide its quorum at the first meeting.

— *[The Initial Presiding Officer]*

**The Initial Presiding Officer:** The Northern Ireland Bill, like other Bills of a similar nature, provides for the establishment of a body corporate to take responsibility for all legal matters relevant to the Assembly, for the provision of property, staff, services and financial arrangements for Members and for other such matters.

Given that the Commission will take full responsibility for these matters on the appointed day, and given that in respect of all other matters shadow arrangements have been made in order that Assembly Members may read themselves into their responsibilities, it is proposed that the Commission be established on the same basis and with the same numbers and arrangements as provided for in the Act during the period of the shadow Assembly.

11.00 am

I want to emphasise one or two things. First, the number of Members was to be five, but I have been advised that some of the smaller parties are not content with this. Representations on the matter will need to be made to the Secretary of State. It is possible for the number to be increased, but that will be a matter for the Secretary of State. Anyway, there is no guarantee that places would be taken up by any particular party. It is a matter for the Assembly

Secondly, Members will notice that some aspects of the motion are definite — for example, in respect of composition — and others are less so. The item "Quorum", to which we need to refer under the Initial Standing Orders, states that the Commission will decide its quorum at the first meeting. The reason for this lack of definition is that in the Act it is left to the substantive Commission to decide its own quorum. Should the Assembly wish to give guidance to the shadow Commission, that, I am sure, would not be inappropriate. The motion simply follows closely the matters set out in the Act.

Thirdly, I should emphasise that these appointments are to the shadow Assembly Commission and will be in force only for the shadow period. There will need to be a new resolution — possibly with changes in the membership, and so on — for the substantive Commission.

**Mr Molloy:** I welcome the setting up of the Commission, for it is a very important body. It is important that there be transparency in dealings about property, staff and services. We should also ensure that there is equality of employment. We must deal with the whole issue of fair employment in the Civil Service. It is important that the Commission be set up now and that its work proceed as quickly as possible.

**Mr Foster:** With regard to services and property, there is an issue which concerns me. During the presidential visit the Union flag was not flown on this Building. Nor was the Stars and Stripes. Surely that would have been correct protocol. It was an insult to the sovereignty of this state and against the Belfast Agreement.

**The Initial Presiding Officer:** The visit was under the auspices of the Government, who still have control of the Building. I understand that protocol advice was taken and was followed.

Management of the Building will come under the auspices of the Commission after the devolution of power. Some aspects of the running of the estate will stay in other hands, unless it is decided to change the arrangements.

Responsibility for the way in which matters are dealt with within the Building will be shared by the Commission, Assembly Members and the Executive — the First and Deputy First Ministers already occupy some parts of the Building — and there will need to be some discussion and negotiation. It would be valuable to have a shadow Commission to explore these matters before power is devolved.

**Mr Adams:** Tá pointe amháin ar an ábhar seo agus is ábhar an-tábhachtach é, ábhar na mbratach.

I want to draw attention a Chathaoirleach to the Good Friday Agreement and the issue of flags. In paragraph 5 of the section headed "Economic, Social and Cultural Issues" the Agreement says

"All participants acknowledge the sensitivity of the use of symbols and emblems for public purposes, and the need in particular in creating the new institutions to ensure that such symbols and emblems are used in a manner which promotes mutual respect rather than division."

That is very important. I appreciate — indeed, Sinn Féin appreciates — that there are citizens here who value the Union flag, but we do not. There must be parity of esteem and equality of opportunity. We need to move into a new situation in which, with the agreement in mind, the Irish national flag is given parity with the Union flag.

**Rev Dr Ian Paisley:** On a point of order, Mr Initial Presiding Officer. I am not sure of the protocol followed by the Government, but I think that it is very doubtful.



Usually the flags of both countries are flown on certain occasions, but I am not at all surprised at what the Member has said, for Her Majesty's Lord Lieutenants were also snubbed during the visit of the President. What is more, the President's helicopter would not land in the Army barracks at Armagh. It was said that that could offend the Irish Republican Army and damage the peace process. Special arrangements had to be made.

These are serious matters, and I do not think anyone on this side of the House would interpret what has been said by the Leader of IRA/Sinn Féin as meaning that the Union flag should not be flown. There is no such thing in the agreement, and it would be ridiculous to say that the national flag could not be flown on a building of this nature.

Perhaps you would also clarify whether the grounds and the Building will come under the auspices of the Commission.

**The Initial Presiding Officer:** May I prevail upon Members to try to keep to the business motion, as, indeed, Dr Paisley has just done. As I understand it, the current state of affairs is that this Building will come under the auspices of the Assembly Commission, but not all parts of the estate. Some parts of the estate are likely to remain under the direct control of the Secretary of State. The Assembly will clearly want to discuss, and perhaps even negotiate, these matters. This emphasises the need for a "Shadow" body to enable Members to become clearer about certain issues in advance of taking power.

This is essentially a business motion to establish the Commission, and I urge Members not to stray into other matters, however important and ultimately relevant.

**Mr J Kelly:** If terms like "Sinn Féin/IRA" are to be used, may other Members feel free to use terms like "DUP/LVF"?

**The Initial Presiding Officer:** I am not sure that I am in a position to give rulings of the kind that you are inviting me to give.

**Mr Taylor:** I fully support the motion to create a Commission, but I want to emphasise the necessity for it to direct its attention to the management not just of this Building but of all buildings and land within the Stormont Estate. Originally, under devolution, Stormont Castle was very much the seat of the Executive, and Stormont House was the seat of the then Speaker. I can understand that in recent years there has been a grey area, but when full devolution comes next year those who are currently in our premises must move to a more suitable location.

The Union flag is the national flag of the United Kingdom. The agreement which every party in this Building supported — *[Interruption]*

**Mr Wells:** One or two people did not.

**Mr Taylor:** The agreement was supported by several of those who have commented on the Union flag today. I want to emphasise that those who supported the agreement accepted the legitimacy of Northern Ireland's being part of the United Kingdom. The flag of the United Kingdom is the Union flag, and there should be no debate or argument about that.

**The Initial Presiding Officer:** I assume that the shadow Assembly Commission will read the record of this debate and will consider all the matters that have been raised. Certainly that is my advice.

**Rev William McCrea:** Mr Taylor may mock those who voted against this agreement, but the vast majority of the Unionist population did just that. Let it be made clear that some of us were to be murdered by the IRA and that Sinn Féin, as the political wing of that terrorist organisation, supported such action. People died to keep Ulster free as a part of the United Kingdom. This country has only one flag — the Union flag.

*Question put and agreed to.*

*Resolved:*

That this Assembly should proceed to establish a "Shadow" Commission to assist during the transitional period in making preparations for the effective functioning of the Assembly — the membership and functions of the "Shadow" Commission being the same as those set out for the Commission in the Northern Ireland Bill.

**Terms of Reference:** The Shadow Commission will consider matters relevant to providing the Assembly with the property, staff and services required for the Assembly's purposes.

**Composition:** Initial Presiding Officer  
Rev Robert Coulter  
Mr John Fee  
Mr Peter Robinson MP  
Mr Francie Molloy  
Mrs Eileen Bell

**Quorum:** The Commission will decide its quorum at the first meeting.

## ASSEMBLY: AD HOC COMMITTEE ON PROCEDURAL CONSEQUENCES OF DEVOLUTION

*Motion Made:*

That under the terms of Initial Standing order 15 this Assembly appoints an ad hoc Committee to consider the procedural consequences of devolution as they are likely to affect the relationship between and workings of the Northern Ireland Assembly and the United Kingdom Parliament and, by Tuesday 6 October 1998, to submit a report to the Assembly which, if approved, will be forwarded to the Procedure Committee of the House of Commons.

Composition: UUP        4  
                   SDLP       4  
                   DUP        3  
                   SF          3  
                   Alliance   1  
                   UKUP       1  
                   PUP        1  
                   NIWC       1

Quorum:                    8

—[*The Initial Presiding Officer*]

**The Initial Presiding Officer:** By way of background I should explain that the Procedure Committee of the House of Commons is enquiring into the procedural consequences of devolution, including relationships with the Northern Ireland Assembly, the Scottish Parliament and the Welsh Assembly. Members of the House of Commons and parties represented there are, of course, free to make their own representations, and will undoubtedly do so, but the Assembly itself has been asked to make representations on the matter.

The House of Commons Procedure Committee has identified a number of detailed concerns on which comments are welcome, but has invited the response by 9 October. There have been discussions with all the parties on this matter, and there is a general view that the Assembly should take the opportunity to comment on these and any other related matters. Therefore the motion has been put on the Order Paper so that a response can be made to the Procedure Committee on or before 9 October.

**Mr P Robinson:** My understanding is that the Committee has the maximum membership to which it is entitled under the Initial Standing Orders. However, there is no provision for representation from the United Unionist Party, which will be recognised fully in a week's time. That party will have a greater claim to membership of the Committee than the Northern Ireland Women's Coalition or the Progressive Unionist Party and the Committee's business will still be on-going when the United Unionist Party is fully recognised as a political party in this Assembly.

**The Initial Presiding Officer:** What has been said is, in substance, true. When the Standing Orders Committee was established that Committee invited at an early stage an observer from those who were, and who are still described as Independent Members.

I should also add that a similar invitation was accepted in respect of the Committee to Advise the Presiding Officer.

11.15 am

Having advised the Assembly today that a new party will be recognised in seven days' time, this matter must now be considered properly by the Committee on Standing Orders both on the question of recognition, about which I have made an interim ruling, and on the question of Committee compositions. The number of Members on Committees is at its maximum, and the Committee on Standing Orders may wish to advise the Assembly on this matter. It is proper that this Committee reviews the Assembly's Standing Orders, and likewise the Whips should discuss the matter themselves and with the representative of the new party.

**Mr Farren:** We are dealing here with the manner in which matters will be dealt with in this Assembly as opposed to Westminster. I therefore seek clarification about what is implied by "procedural consequences". I take it that these are distinct from "political consequences."

**The Initial Presiding Officer:** My understanding is that the House of Commons Procedure Committee is looking at procedures at Westminster subsequent to devolution. It will not be giving guidance on how the Assembly should deal with its procedures. In the past, in other political arrangements and when this Chamber was in use, there were certain conventions about what could and could not be done. With the expansion of devolution, and in these different circumstances, more than mere conventions may be required. There are also issues about how the House of Commons would address some of these matters such as the membership of Committees. Of course, we now also have the question of Europe and its relationship with Westminster. However, it is not an examination of our procedures so much as an examination of the procedures that Westminster may wish to make changes to having invited our comments.

**Mr P Robinson:** If you have made a ruling on this, then I am not quite sure what it is. I asked about the position of the prospective United Unionist Assembly Party. Are you saying that the Committee on Standing Orders should give an early report on that matter before it reports in full on 26 October? A lot of water may have flowed under the bridge by that date.

In relation to this Committee's role, the House of Commons is looking at the impact of devolution in Scotland, Wales and Northern Ireland on the procedures of the House. For instance, will a Minister responsible to the United Kingdom Parliament be answerable for matters that are the responsibility of this elected body? Will he answer questions in Parliament on

Northern Ireland, questions relating to environment, health and education? Will written answers come from prospective Ministers in this Assembly? Will a Select Committee for Northern Ireland have the right to look at matters which have been delegated to the Assembly in Northern Ireland?

Those are issues that this Committee will look at. It will also look at the famed West Lothian question — whether representatives who have no right in the House of Commons to amend legislation for Northern Ireland should see the legislation for their part of the United Kingdom amended by Northern Ireland Members.

**The Initial Presiding Officer:** It is not for me to tell the Committee on Standing Orders what to do or when to report. That would be entirely improper.

When the new party is recognised in seven days' time, that will have consequences for the memberships of Committees because, under the current Standing Orders the Committees cannot increase the numbers of places. Any proposed changes will have to be considered by the Standing Orders Committee which could come back to the Assembly in advance of 26 October with a number of interim reports or reports on various issues and seek the Assembly's backing for approval by the Secretary of State. However, it would be quite improper for me to give a directive to the Standing Orders Committee. It will conduct its own business.

**Mr Paisley Jnr:** It may be of some advantage to members of that Committee, if it is established, to consider the reports presented by the Northern Ireland Forum on both Scottish and Welsh devolution.

Indeed, there is another procedural question which must be addressed and that is the relationship that this House is to have with the European Parliament. Some matters will be coming directly from Europe to the Floor of the House, and we will have to consider the procedural ramifications of that.

I hope that we will be able to report by 6 October. I note that one report has already been produced since 1 July. It is not a comprehensive report at all, and I hope that this Committee, when established, will be able to present a more detailed report and expedite its business much more efficiently.

**Mr Dodds:** May I come back to the point about the United Unionist Assembly Party and its representation on this Committee? As a member of the Standing Orders Committee, and not wishing to add to the work of that Committee unnecessarily, I think that the Initial Standing Orders are already clear on this point. We do

not need clarification from the Standing Orders Committee, for Rule 15(2) says

“each party with at least two members shall have at least one seat on each Committee.”

That will be the case from next Monday, so it is up to those in charge of administrative matters, rather than the Standing Orders Committee, to implement the Rule. The Rule also requires that there should be, as far as possible, a fair reflection of parties participating in the Assembly. Since there is an upper limit of 18 seats, amendments will have to be made simply to the balance of the parties on the Committee. It does not need any further consideration by the Standing Orders Committee.

**The Initial Presiding Officer:** The reason that the Standing Orders Committee may wish to look at it, is the maximum number of members allowed, to which you referred. The Standing Orders Committee could, for example, decide to solve the problem by increasing the upper limit to 19 members, or by coming to some other arrangement, but it would be quite out of order for me to direct the Committee. The Standing Orders Committee should advise on this issue.

**Mr Empey:** In the absence of a ruling on the total number, may I point out that there is already a report coming to the Assembly on 6 October about the House of Commons Procedure Committee. If we agree this motion it will not be necessary to wait until 26 October to have a report from the Standing Orders Committee to resolve these matters. It might be worthwhile suggesting to the Standing Orders Committee that it report on 6 October rather than waiting until 26 October.

**The Initial Presiding Officer:** It would be out of order for me to propose that to the Standing Orders Committee, members of the Committee themselves or the joint Chairmen would be quite at liberty to do so.

**Mr Haughey:** I am referring to the point made by Mr Dodds in respect of Rule 15(2) of the preliminary Standing Orders. The problem — and it is one that members of the Democratic Unionist Party raised in the Standing Orders Committee — is what precisely is to be understood by the word “party”. That is a matter that the Standing Orders Committee will have to return to at the appointed time.

**Mr P Robinson:** The Committee to Advise the Presiding Officer agreed that the proper course would be to recognise the new political party seven days after notice had been given; that issue is settled. So under the Initial Standing Orders that party will, as from next Monday, have an entitlement to one place on each Committee. However, if the composition of this Committee is as shown on the Order Paper there would be no place available since the Initial Standing Orders

make it clear that the maximum membership is 18. Therefore the representation of one of the existing parties would need to be reduced by one.

The two parties that have the most representation per head are the Social Democratic and Labour Party and Sinn Féin. Their representation should be reduced by one to allow a Member from that Committee, the United Unionist Assembly Party, to be included.

**The Initial Presiding Officer:** We should remember that the Committees were established not only by Standing Orders but also by a motion in the Assembly. The representation by party was fixed by an Assembly motion on 1 July 1998; I would be exceeding my authority were I to allow any changes to the membership of that Committee except by a further motion. Your proposition should more properly be made to the Standing Orders Committee or in a motion to the next meeting of the Assembly.

**Rev Dr Ian Paisley:** Is it not correct that the responsibility for these Initial Standing Orders lies with the Secretary of State? She imposed them, and we have had to accept them. That being the case, this is not a decision for the Standing Orders Committee of this House. The Secretary of State must decide. Surely you should be making representation to her, pointing out the inconsistency caused by the creation of this new party and suggesting that she agree to their being represented on the Committees.

**The Initial Presiding Officer:** I appreciate your analysis of the lines of authority, Dr Paisley, but I think it is not entirely correct. The authority under which these Standing Orders were put in place is, indeed, that of the Secretary of State. Any changes of any description to the Standing Orders between now and the devolution of power have to be authorised by the Secretary of State. However, the execution of those Standing Orders is a matter for the Assembly.

If the Secretary of State were not convinced that her wishes were being carried out she would, of course, be entirely at liberty to make that clear. She has already made clear her wish that any further Standing Orders which, as you quite rightly say, she would have to authorise, should be made, as far as possible, with the agreement of the Assembly. That is why — and I make this point on behalf of the Assembly — no new Standing Orders should be put in place until the Standing Orders Committee and, if possible, the Assembly as a whole has been consulted.

You will note that no new Standing Orders have been put in place yet prior to the initial Report of the Standing Orders Committee and today's debate. I imagine that the Assembly will want those proprieties to continue to be recognised.

**Mr Adams:** I note that none of the members of this new party have spoken for themselves although the Democratic Unionist Party is obviously concerned. These Members are anti-agreement, and they want to rejig the arithmetic. These three Members are clearly within the Unionist bloc, and should there be any pruning of the representation, then the parties losing a seat or seats should also be within the Unionist bloc, in keeping with the broad sense of this agreement.

*11.30 am*

**The Initial Presiding Officer:** Our Rules are very important, and we abide by them no matter what our feelings. I will do my utmost as a servant of the Assembly to abide by the Rules, and where no such Rules exist I shall seek guidance from Members.

**Mr P Robinson:** Clearly it is not a matter of taking representation from one bloc or another; it is a case of getting the fullest representation on the Committee. The arithmetic means that the Ulster Unionist Party has one representative for every seven Members, which is roughly the same as the Democratic Unionist Party. By contrast the Social Democratic and Labour Party and Sinn Féin each have one representative for every six Members, so very clearly it is one of those two parties that has to give up one of its Members. In that vein may I ask you, Mr Initial Presiding Officer, to move an amendment to this motion?

**The Initial Presiding Officer:** The Standing Orders state that all amendments must be received in writing at least one hour before the start of the day's business. As I did not receive any amendments in advance of that time, I am unable to accept the Member's suggestion.

**Mr P Robinson:** You told us about this just a short time ago. How could we possibly have put down an amendment on something about which we were unaware?

**The Initial Presiding Officer:** I am sorry, Mr Robinson. The Order Paper is quite clear about the membership as things were extant. There is not, at this point, a newly recognised party. It will not be recognised until 10.20 am next Monday — seven days from the receipt of the written notice. Therefore the question about its membership of Committees will have to wait until after that time. It would be entirely proper at that stage for the tabling of a motion to deal with the matter.

**Mr P Robinson:** My proposition was not that we agree to membership by a Member of the United Unionist Assembly Party but that we leave a position free. Will you give a ruling that next Monday there will be a motion ensuring that the Standing Orders to which



this Assembly is bound shall be upheld and that they will have membership of that Committee?

**The Initial Presiding Officer:** I cannot give the Member an immediate ruling. In the Initial Standing Orders and in the draft Orders which the Secretary of State sent, and which so many Members will have perused, there is a curious absence of information about how to deal with the circumstances in which a Member changes his party affiliation, a change which may also affect the representative arrangements. This is therefore a more important matter than membership of this ad hoc committee.

The draft Standing Orders indicate clearly the way in which the d'Hondt system should proceed, and when the time comes we will do that. However, if a number of Members were then to indicate that they were changing their party affiliation, subsequent to that, but not their designation as Unionist, Nationalist or Other affiliation, then it is quite possible that that could change the numbers and the out-working of d'Hondt if it were to be reworked at that point. But there is no indication about whether it should be reworked at that point; whether it should be reworked on the initiation of the Presiding Officer of the time; or whether it should require a motion to the Assembly proposing that there be a reworking.

That is clearly an omission in the Standing Orders. It is not surprising that there should be such an omission, but I am extremely reluctant, as Initial Presiding Officer, to give a ruling on it without thoroughly considering the question and consulting with the parties. It may be that events will require me to consult, or I may be pressed to make some kind of ruling. If so, I will do so as properly and as soon as I can. However, the issue only came to me, in a formal way, a few minutes before we met, and it would be quite wrong for me to make a ruling without such due consideration.

**Mr P Robinson:** I ask you to reflect on this matter, because the Standing Orders are not silent on it. They are clear, and they are precise. Standing Order 15.2 says that each party, with at least two Members, shall have at least one seat on each Committee. You will want to ensure that these Standing Orders are upheld and, therefore, I ask you to consider that matter. I give notice that if the maximum number on any Committee is 18, one seat has to be made available for the new party. If we are sitting next Monday, we will propose that Sinn Féin's representation be reduced by one to allow the new party to have that one seat.

**The Initial Presiding Officer:** I can assure you that when the matter becomes formally relevant I will give due consideration to it and report back to the Assembly.

**Mr Paisley Jnr:** I know that you cannot, or are unwilling, to give a ruling on the point raised by Mr Robinson. However, could you give us a ruling on the designation of the Member of the United Unionist Assembly Party who signed the register this morning? Are you accepting the designation he gave, or does he have to wait seven days in a state of perpetual purgatory until he is accepted as a member of the United Unionist Assembly Party?

**The Initial Presiding Officer:** The notion of perpetual purgatory is an interesting theological one, and I am sure it could be taken up in another place.

The designation of the Unionist Member who signed this morning was clearly Unionist. The affiliation he gave was that of the new party that has just been referred to, but that new affiliation and the recognition of that party as a party must wait for seven days, as was discussed earlier.

**Mr Maskey:** In case Mr Robinson spends the rest of the week, in extended purgatory or whenever, thinking that Sinn Féin is going to drop a member of any of the Committees, let me say that this is not a matter for him to decide. I do not want any such notion to slip onto the record by default. You quite rightly pointed out that the matter is not yet resolved. There is not a new party in the Assembly yet. When the matter is fully resolved, we will all deal with it, and the question of proportionality will certainly be dealt with, I am sure, satisfactorily.

*Question put and agreed to.*

*Resolved:*

That under the terms of Initial Standing Order 15 this Assembly appoints an ad hoc Committee to consider the procedural consequences of devolution as they are likely to affect the relationship between, and workings of the Northern Ireland Assembly and the United Kingdom Parliament and, by Tuesday 6 October 1998, to submit a report to the Assembly which, if approved, will be forwarded to the Procedure Committee of the House of Commons.

Composition:	UUP	4
	SDLP	4
	DUP	3
	SF3	
	Alliance	1
	UKUP	1
	PUP	1
	NIWC	1

Quorum: 8

**Mr Adams:** A Chathaoirligh, pointe amháin eile. Could you make it clear to the Assembly that during a vote a Member may say "Tá" or "Níl" instead of "Aye" or "No".

**The Initial Presiding Officer:** As I indicated — and our practice during the first meeting of the Assembly made this clear — people are free to respond

in a number of different ways, and I will do my best to interpret what is said accurately and correctly.

In whatever language Members wish to respond — and most notably, as you indicate, in Irish, or in Ulster-Scots as some Members used at the last meeting — I assume they will do so at the appropriate point when I call for the Ayes and the Noes. Otherwise the Clerks and I will be left in some confusion.

**Mr Adams:** This is only important in the context of trying to work out a new dispensation, and we should not allow the issue of the Irish language to become party political or to in any way be seen as being Ulster or Nationalist. It is therefore appropriate in your position of Cathaoirleach that you reflect that when addressing the Assembly. You did so very clearly at the first meeting; I note that it has not been done today.

**The Initial Presiding Officer:** I did not refer to the matter again. As far as my own designation is concerned, I am quite happy if it is Ceann Comhairle or Cathaoirleach or whatever other designation Members wish to use. Indeed, even in English quite a considerable number of designations have been given to me — some of them more accurate than others. I am called many things, as you know.

**Mr Paisley Jnr:** If Members are going to speak in two or three different languages when they are asked to vote, it will be like the Tower of Babel in here, and Members are going to be totally and utterly confused about whether this House is for or against a motion. Why can Members not vote in the way that is laid down in the Standing Orders — by saying either “Aye” or “No”?

**The Initial Presiding Officer:** I certainly urge Members to try to stick to the Standing Orders, and my understanding of them is that I am the Initial Presiding Officer rather than the Presiding Officer (Designate)

**Mr S Wilson:** Mr Presiding Officer, would you accept “Dead on” or “Catch yourself on”? Where are you going to stop this nonsense? If this is to be extended as widely as you suggest, I would be entitled to use my preferred response in recognition of how people in east Belfast say yes or no. If this House is to understand whether Members are for or against a motion — and I noticed the odd syllable of English creeping into some of Mr Maskey’s speeches this morning — can we not just stick to saying “Yes” or “No” in a language which I hope we can all speak and understand?

**The Initial Presiding Officer:** In respect of your two acclamations, Mr Wilson, I assume that “Dead on” means yes but that “Catch yourself on” means something rather different. That is why I appeal to Members that if they wish to give assent, they do so in

whatever way they wish, either with a positive grunt or a more clear articulation when I ask

for the ayes, and those who wish to vote against give a negative grunt, or whatever, when I ask for the noes, and we will do our best to interpret them accurately.

**Mr Beggs:** At our initial meeting it was specified that Members could use whatever language they wished when responding but only an “Aye” or a “Nay” would be recognised for voting purposes.

**The Initial Presiding Officer:** I am trying to be as generous as possible, even with the pronunciation of some of the ayes and noes.

**Mr Farren:** Mr Presiding Officer, it is not the case that the words “Aye” and “Nay” are not part of Queen’s English? What language are we speaking when we say “Aye” and “Nay”?

**Mr Taylor:** “Tá” could also be misunderstood: in many regions of England that means “Thanks”.

**The Initial Presiding Officer:** There has been a fairly generous allocation of time for that debate so can we move on to receive the Report of the Standing Orders Committee, which will, undoubtedly, wish to consider these matters in further depth.

The two major reports are going to be dealt with in the order they appear on the Order Paper because that is the order in which the mandates were given at the last Assembly meeting.

## ASSEMBLY: STANDING ORDERS

11.45 am

**Mr Haughey:** As co-Chairman of the Committee on Standing Orders, I present to the Assembly the Interim Report. In conjunction with this Report Members should read the minutes of the Committee meeting of 1 September, which have been circulated, and the letter of 10 September from the Minister of State, Mr Murphy.

I beg to move the following motion:

That the Assembly takes note of the Interim Report prepared by the Committee on Standing Orders and grants leave for the preparation and presentation of a full report by 26 October 1998.

I would like to thank my co-Chairman, Mr Fred Cobain, for his help and co-operation. How Mr Cobain and I came to be co-Chairmen of the Committee is an intriguing story of fancy political footwork and occasional trick photography, but I will not bore Members with the details.

I thank the other members of the Committee for their hard work and their contribution to the formulation of this document. I also thank others who have attended in their capacity as observers for their interest in the work of the Committee. The Committee is also indebted to the Acting Clerk, the Second Clerk and the Third Clerk for their very considerable help. The Committee has worked expeditiously and harmoniously to get to this point.

The Committee was set up by the Assembly on 1 July 1998, under Paragraph 15 of the Initial Standing Orders, and the terms of reference are as follows:

“To assist the Assembly in its consideration of Standing Orders and to report to the Assembly by 14 September 1998.”

The Committee has a composition of four Members from the Ulster Unionist Party, four from the Social Democratic and Labour Party, three from the Democratic Unionist Party, three from Sinn Féin and one each from the Alliance Party, the United Kingdom Unionist Party, the Progressive Unionist Party and the Northern Ireland Women's Coalition. In the course of its business, the Committee also accorded observer status to the Independent Unionist grouping. It met for the first time on 6 July and there have been five meetings of the Committee since then.

First, the Committee gathered information from a wide-range of sources. We looked at examples of Standing Orders from the House of Commons, from the Dáil, from the European Parliament and from other bodies. We have considered 11 Rules, agreeing seven of them and remitting the other four for further in-depth consideration at future meetings. There is a full list of those in Annex A to the Report.

We have also had to deal with the Additional Standing Orders sent to us by the Secretary of State, by way of consultation. Members will find a copy of those draft Additional Standing Orders in the Report along with the Committee's response to them.

The letter from the Minister of State, Mr Murphy, indicates clearly that the opinions of the Committee on Standing Orders are being listened to. We must now deal with some potentially difficult Standing Orders and, from next week, the Committee will be meeting twice a week in order to take this business forward.

I commend this report to the House. It represents the product of many hours of hard and constructive work by members and officials of the Committee.

**Mr Dodds:** I join Mr Haughey in expressing our gratitude to the clerks who have had to work very hard at the outset of this Committee to gather all the relevant papers and documentation from other places. The real work of this Committee begins now, for we have really

only begun to discuss the main issues. It would be wrong to deal just with the procedures and the setting up of the Committee and not to detail some of the issues which the Committee has already dealt with and, indeed, some of the issues which we may have to deal with shortly in order to meet the 26 October deadline.

A number of the issues that the Committee has dealt with relate to issues that have already arisen today in the House. This demonstrates the need to resolve these issues urgently, in particular, the question of designation and the issue of whether Members should be entitled to change designation by giving seven days' notice. This is not in the agreement or in the legislation. But here we have it in the Standing Orders, designed to allow Members to jump back and forward at seven days' notice to help particular parties out of a difficulty if they feel that they are not going to obtain support in the House under the cross-community voting provision.

Despite the opposition of some Ulster Unionist Party Members — not all of them — and one or two of the smaller parties, I am glad to report that there seems to be a general consensus that it is wrong in principle that Members who designate themselves as Unionists or Nationalists should, after seven days' notice, be able to change their designation purely for the purposes of ensuring that a particular vote is won in either the Unionist or National block and then switch back to their real designation. Such action would bring this House and its proceedings into total disrepute and so it is essential that when we are dealing with these Standing Orders, we delete this offensive mechanism.

I hope the Committee Members will see that this is a matter of principle and that when Members designate themselves as either Unionist or Nationalist, that designation should remain — that was the intention and purpose of the arrangements that were set up.

One of the smaller parties argued that it would allow for movement if people could change their designation. But the only effect of changing from Unionist to Other or from Nationalist to Other is that one's vote is lost for the purposes of cross-community voting. The only reason that parties want to have this procedural ability to change designation is to ensure that, instead of their vote not counting under the cross-community provisions, it will count on certain occasions when it suits either the Ulster Unionist Party or the Social Democratic and Labour Party.

I want to discuss one or two of the matters outlined in the draft Initial Standing Orders sent to the Members of the Committee by the Secretary of State and to which you referred earlier. The Secretary of State has undertaken to take on board what is said by the Committee and by the Assembly today.



May I draw Members' attention to page 1 of the Committee on Standing Orders' Report and, in particular, to paragraph B, "Appointment of Ministers (Designate)". It was advanced in the Committee that the Assembly should not only have the ability to pass or to reject proposals coming from the First Minister (Designate) and the Deputy First Minister (Designate) in relation to the numbers of Departments and the functions within each Department, but that Members of the Assembly should also have the right to table amendments.

Amazingly there was a view advanced in the Standing Orders Committee that that would not be appropriate; that it should be a take-it-or-leave-it issue, that when the First Minister (Designate) and Deputy First Minister (Designate) present to this Assembly their substantive report, the Members' should accept it or reject it in total and not have the right to put down amendments as the First Minister (Designate) and the Deputy First Minister (Designate) would, of course, have consulted widely.

The same argument was used during the years of direct rule when we were not allowed to amend Orders in Council which were brought to the House of Commons by Northern Ireland Office Ministers. We had to accept or reject them in total.

There were six members of the Committee who voted against a proposal that it should be explicitly recognised within Standing Orders that we should have the right to put down amendments to any such proposal. I hope that the Minister present today, will convey the tenor of our deliberations back to the Secretary of State and that she will consider that there has been a cross-community vote in favour of ensuring that amendments can be put forward and deliberated by the Assembly,

May I also draw Members' attention to part D, headed "Exclusion or Removal from Office", of the Secretary of State's draft Additional Standing Orders. The Committee has completely omitted any provision which would enable the Secretary of State to table or bring to the attention of the Assembly those matters that were so important during the House of Commons debate. The Secretary of State inserted provisions into the Northern Ireland Bill which enable her to consider certain issues, such as parties not committed to exclusively peaceful means, or parties that do not co-operate with the decommissioning body or parties who are engaged in paramilitary punishment attacks and so on.

There was also provision for those matters to be referred to the Assembly. However, there is no provision in the Standing Orders for that. Whether that was simply an oversight or whether it was deliberate remains to be seen, but it must be rectified by the

Secretary of State when she considers these Initial Standing Orders and when she receives the report from the Assembly.

It is incredible to think that the Northern Ireland Office could have overlooked this matter, which was the subject of intense debate and deliberation in the House of Commons. The Northern Ireland Office, having deliberated and assured us that these were all issues that the Secretary of State would take into account, made no provision for the Assembly's part in that or for any motion to be put down other than by the First Minister (Designate), the Deputy First Minister (Designate) or a Commission of 30 Members. That must be rectified as well, and I hope that the Secretary of State will do that.

I am sure that Members will devote themselves assiduously to the path that is before us. It will be challenging to meet the 26 October deadline, but it is absolutely essential that we have Standing Orders which are owned by the Members of this Assembly and which have not simply been imposed upon us by the Secretary of State. If we leave it to the Secretary of State, we will not have Standing Orders which will be acceptable to the vast majority of Members.

**Mr Close:** When I came here this morning I was reminded of some words from Scripture:

"Lord, it is good to be here."

Having been here for an hour and a half, I am now beginning to doubt whether it is good. However, I would like to join in the thanks being given to the two co-Chairmen of the Standing Orders Committee and to all the Committee Members. We have worked diligently over these past few weeks at our task to produce the rules necessary for the good order and conduct of the House. We did, as has already been stated, I suppose take the easy way out. We began with the less contentious issues. Undoubtedly there will be others which will be more difficult to resolve in the future.

12.00

The report before us is self-explanatory, and in commending it to the Assembly I would like to draw attention to two specific issues. One is the thorny issue of designation whereby

"Members shall then take their seats by signing the Assembly's Role of Membership and registering a designation of identity — Nationalist, Unionist or [ ]".

Members will note the brackets in the report, whereas in the Initial Standing Orders produced by the Secretary of State, the word "Other" was included there. Since its inception, this party has made it absolutely clear that we are not large "N" Nationalist or large "U" Unionist. We want to continue to be known, as we have



done so over the last 20-odd years, that we are clearly a party of the centre, of that there is no doubt. The electorate know and appreciate that, and the Standing Orders of this House must recognise those who are not large “N” Nationalist or large “U” Unionist.

The Initial Standing Orders state that Members designate themselves as “Unionist, Nationalist or Other”. It is quite clear to the Alliance Party that that “Other” refers to “Other” designation. It is not just “Other” left hanging in mid-air. That is why we have argued and will continue to argue that the word “centre” must be permissible to designation. We will not be arrogant and dictate to other Members how they wish their designation to be described. I am perfectly happy for the Members of the Ulster Unionist Party, the Democratic Unionist Party, the Progressive Unionist Party or whoever else to designate themselves as Unionist.

**Mr McGrady:** I would like clarification as to the real argument that Mr Close is making about designation. I am sure that everyone in the House understands the centre ground when one talks about economics or social policies, but what in constitutional terms is his definition of the centre ground between Unionism and Nationalism? It would be a very intriguing explanation in view of his remarks.

**Mr Close:** I thank the Member for giving me the opportunity to explain and I could do so at great length, but I feel that today would be an inappropriate time in which to describe exactly where the Alliance Party stands. The Member believes and understands the Alliance Party’s ethos, why it came into being and its *raison d’être* in Northern Ireland. The job it has been doing in Northern Ireland needs no further clarification from me. I am referring here to the Initial Standing Orders produced by the Secretary of State where they say

“Members shall take their seats by signing the Assembly’s roll of membership and registering a designation of identity — Nationalist, Unionist or Other.”

My argument is that that “Other”, as far as the Alliance Party is concerned, means centre. Members should not have any difficulty with that because I am perfectly content to accept other parties’ designation of themselves. So please do the Alliance Party the courtesy of permitting itself to be described as a centre party.

Mr Dodds referred to this change of identity every seven days. We are offering the people of Northern Ireland a new opportunity, we want them to respect the dealings and operations of this House. We do not want to start off with some farcical procedure by which Members can change their designation willy-nilly by

giving seven days’ notice. That would do us all a tremendous disservice, and I urge that that particular Standing Order be changed.

It has been argued that we should recognise people’s right to change their designation, and as I suggested at the Standing Order Committee meeting, let us recognise that right. Perhaps they made a mistake; perhaps they were not sure of where they stood, and they should have the right to change. But I believe that that right should be restricted to one occasion. If they wish to change, let them change once and have done with it. But let us not have a situation where on a weekly basis, simply for expediency or to thwart the purposes of votes in this House, individuals can move from one side to the other. That would be inappropriate. This is all I have to say on these two issues at this stage. There are others which will, no doubt, arise in the weeks ahead. I commend the Report to the House.

**Ms McWilliams:** I, too, rise to respond to this particular Standing Order and for exactly the same reasons.

When the Northern Ireland Womens’ Coalition Members signed the Roll Book, we wrote “Inclusive Other”, our reason being that we hope that one day in this country people’s political identities can be respected as crossing and that we will be able to work with our differences. I understand the reasons why the voting mechanisms are as they are in the agreement, but the opportunity should be available for those who wish to have themselves designated in a different way to do so.

By designating yourself as centre, you are saying to the rest of the people here that they are at the extremes and I do not believe that to be the case. There will be many times when people in this room will take a central, socialist or a conservative position on particular social and economic issues and no one should be viewed as being extreme for having done so.

The fact that the seven-day rule is there permits a party like ours to protect the agreement. We will not vote according to whether it is a Nationalist or a Unionist issue. We will vote to protect the agreement, which is the mandate on which we were elected. We believe that this rule has been inserted to allow us to protect the agreement against those who were not in favour of it and do not wish for it to be proceeded by this House. We will give the required notice.

The situation will not be so radical; Members will have seven days’ notice and those who are opposed to the particular issues will know in advance what the arguments will be. The Northern Ireland Women’s Coalition will insist that this rule is not changed so that people may take advantage of it only once; it should

remain throughout the four years during which the House will be sitting.

There is a review mechanism in the agreement, and those who are unhappy with the current voting procedures or the designations, which some would say institutionalise sectarianism in this county, can give notice to have that review.

But the Standing Order present should be retained so that those who experience no difficulty representing Nationalists, Unionists and others, in the most inclusive fashion, can protect the agreement when we need to.

**Mr McCartney:** I speak as a member of the Standing Orders Committee. My remarks relate specifically to the rule that would give licence to political chameleons who wish from time to time to change their colour according to the exigencies of the day.

It should be immediately apparent to everyone that the working of the Assembly, and whatever structures arise from it, is to be based on consensus. The consensus was constructed by the agreement to facilitate an operation between the two essential groups in Northern Ireland who have been advancing their political goals and ideologies: Unionists and Nationalists. Indeed, if one looks at the agreement, and particularly at the arrangements made for dealing with that consensus, one will see that the agreement provides for either a majority, a clear majority, within each of those communities or, in some circumstances, for a 40% majority.

What was the reason for that? The reason was to ensure that, within each community there would be agreement that what was being advanced by both was a basis for ongoing business. The Ulster Unionists have a very, very narrow majority with 28 Members plus the assistance of those who have demonstrated themselves to be consistent allies, the Progressive Unionist Party, giving them a total of 30.

On the other hand, opposed to the views of the Ulster Unionist grouping are the Democratic Unionist Party, the United Kingdom Unionist Party and the three Independents, making 28 in number. What is proposed now is to allow the two members of the Northern Ireland Women's Coalition to hop about from a Nationalist designation to a Unionist designation, on seven days' notice, which would give them a degree of influence entirely out of proportion to the votes they got throughout Northern Ireland.

I have no argument whatever with the advancement of the rights of women, though I find a political party calling itself the Women's Coalition a rather curious phenomenon, but that is another matter.

But the point I do make is that the Women's Coalition originally entered the negotiations on the basis of what many people saw as a completely anti-democratic arrangement. Under the hop-up system 20 seats were divided among the top 10 parties thus allowing the Northern Ireland Women's Coalition to have two seats when its total vote in Northern Ireland was a little over 6,000. Now we have those two Members with limited electoral support endeavouring to do something which is fundamentally opposed to the principle of consensus upon which the agreement is based: they want to play see-saw Marjorie daw by changing their designation from "Nationalist" to "Unionist" when any crucial vote is about to come up.

In those circumstances the proposal put forward by the Assembly Member for South Belfast (Ms McWilliams) is one that would strike at the very roots of democratic consensus in the Assembly, and Nigel Dodds, the Assembly Member for North Belfast, has shown us the dangers of that very clearly.

*12.15 pm*

I now want to turn to the remarks made by Mr Close on the matter of designation. The agreement provides for three designations — Nationalist, Unionist and Others, and in that context "other" was not being used in some derogatory way. Those who are neither Nationalist nor Unionist are "other" and the Alliance Party has demonstrated that it does not wish to be associated with any particular grouping, Nationalist or Unionist.

It is entirely irrelevant whether it is designated "centre" or "other" because it is certainly not Nationalist or Unionist, neither of whom, even allowing for the degree of ecumenism that occasionally creeps into both parties, could conceivably be described as centre. Whether you say left or right, Nationalist or Unionist, none of those terms of themselves in itself designates a person as an extremist of one form or another.

It is my proposal that those who are neither Nationalist nor Unionist can describe themselves in whatever way they like, but they ought not be permitted to change more than once. There is good sense and fairness in allowing people to decide that, broadly speaking, their party is now convinced that the Unionist or Nationalist ideology and goals are what it should opt for, but such people should be permitted to do that only once in a four-year term.

I commend to the House the sentiments expressed both by Mr Dodds and by Mr Close.

**Mr S Wilson:** The fears which were raised both by Mr Dodds and Mr Close on the matter of changing designation have been borne out by the comments by

Ms McWilliams. Under the guise of protecting the agreement, she has suggested that the Women's Coalition's intention is its designation as "other" so that sometimes it can be Unionist and sometimes it can be Nationalist, not on the basis of any political principle, but purely to influence a vote. I have no trouble with the words of one member of the Women's Coalition who said

"The Women's Coalition wished to be all things to all men."

I think that that was rather inappropriate, but to try to influence a vote in either community, to change and dance around, surely for that purpose, is wrong.

As Mr Close said, it would bring the Assembly into disrepute in the eyes of the general public, if someone was able to dance about like that, under the guise of protecting the agreement, while really seeking to subvert the views of those who have expressed themselves as either Unionist or Nationalist. The Rule must be amended, and I hope that Members will accept that a small group cannot be allowed to manipulate the Assembly in this way.

I am glad to see that the Committee had the good sense to agree that any proposal brought before the Assembly by the First Minister (Designate) or the Deputy First Minister (Designate) should be open to amendment. We do not want to have to accept it or reflect it simply.

One of the things said in defence of the agreement, especially by members of the Ulster Unionist Party, was that it would end the bad old days of Orders in Council in the House of Commons, that people would now be able to amend proposals that were brought forward. We cannot have that re-imposed on the Assembly. We must be able, when there are parts of a proposal brought before the Assembly that people do not like to amend the proposal rather than have to vote the whole thing down.

I find it rather bizarre that those who defended that kind of undemocratic means of doing business were telling us that we did not need to worry, because the First Minister (Designate) and the Deputy First Minister (Designate) would take the opinions of the Assembly into account and consult their own parties.

From the record of the First Minister (Designate) over the last number of months, it appears that he cannot even take account of opinion in his own party, let alone the Assembly. Therefore, it is important that we are able to amend reports that are brought forward, rather than simply vote on them. I hope that the Assembly will have the good sense to agree this and that the Secretary of State will have the good sense to accept the amendment as proposed by Mr McCartney.

**Mr Boyd:** I want to endorse the comments of Mr McCartney and Mr Wilson. This is a totally undemocratic Standing Order. For Members to be able to change a designation within seven days and then change it back would make us a laughing stock. I would support a proposal that a designation be changed once only — that would cover everybody and exclude no-one.

I take exception to Ms McWilliams implying that the United Kingdom Unionist Party is exclusively Unionist. It is important to clarify that the political affiliation of someone who comes to us on a constituency matter is not an issue.

**Ms Morrice:** I would like to clear up the reference to me that was made by Mr S Wilson — the Northern Ireland Women's Coalition is all things to all men and women and children.

Change of designation has been discussed. It is very interesting to note those who accuse the Women's Coalition of possibly bringing the Assembly or the Agreement into disrepute. I am very happy to see that they are here to defend this institution, and I commend that. There is absolutely no question of the Northern Ireland Women's Coalition's bringing the agreement or the House into disrepute.

Any move to change our designation would be made purely in defence of the agreement. As Ms McWilliams said, we have been put here to defend the agreement, and we will do so. We come from pockets of Unionism, Nationalism and "other", and we represent all three.

One very important thing that this Assembly must take on board is the ability to evolve. We do not want to get stuck in a mould. We want to be able to evolve towards a future that we can all support and work with. If we insist that there can be no change of designation, we are insisting that we stay in the mould that we have prescribed for ourselves from the start. I believe that the people who elected us would like to see us all evolve to the point where we can accept Unionism, Nationalism and "other" and move forward.

**Mr Haughey:** I thank Members for their contributions to a lively and interesting debate. There are one or two matters to which I ought to refer.

First of all, it is important to remember there is a distinction between the redraft of the Standing Orders which the Standing Orders Committee is considering and the additional Standing Orders which are being put forward by the Secretary of State to supplement the Initial Standing Orders. Under the legislation she has the authority to do so. The Standing Orders Committee was asked to comment on them; we have done that, and Members have a copy of our comments. That is a different issue from the redraft of the Standing Orders

which will be adopted by the Assembly when it assumes full authority under the legislation.

I presume that there will be a full debate on the final Report of the Standing Orders Committee when it comes before the Assembly and that Members will then be able to go into detail on the various provisions of the Standing Orders.

It is also important to understand that the legislation currently going through the House of Commons will enshrine in law the provisions of the Good Friday Agreement, and may not depart from that agreement. It would be invidious and quite unacceptable if the elaboration of the Standing Orders of this Assembly were allowed in any way to unravel parts of that agreement or to revise provisions which are clearly part of the agreement which was endorsed by sufficient consensus of the parties in the talks and by the overwhelming majority of the electorate, North and South.

There is further work to be done in relation to the question of designation and party, which, I remind Members, are two quite separate questions.

The question of designation is addressed in the preliminary Standing Orders as laid down by the Secretary of State; however, our response to the Secretary of State's draft additional Standing Orders says

"it was agreed that the Secretary of State should be asked to give consideration to the need to define the meaning of 'political party'."

That is something which will arise in respect of both the Standing Orders under the Secretary of State's authority for the shadow period and the final Standing Orders of the Assembly itself.

The Standing Orders Committee has given some attention to the question of party and designation. While one can respect Mr Close's suggestion the fact is that applying the term "centre" to one party does have implications, as pointed out succinctly by Ms McWilliams, for other parties.

*12.30 pm*

The situation with regard to the Northern Ireland Women's Coalition is somewhat different. The very name of the party indicates that it is a coalition of people with different designations and that they also need to be given some regard.

Finally, may I thank Members for their contribution to the debate.

**The Initial Presiding Officer:** As Initial Standing Order 12(2)(b) applies to this motion — any motion referring to Standing Orders requires cross community support — I must call for a recorded vote. This requires

that an announcement be made that a vote will take place in three minutes. It will take place on the basis of roll call, because that is the arrangement under the Initial Standing Orders.

**Mr Empey:** Is it necessary to do that unless you have established first that there is a difference of opinion?

**The Initial Presiding Officer:** The initial Standing Orders give me very little flexibility on a whole range of issues. For example, with regard to the length of time Members should speak, there is a very strong case for some flexibility. The problem is it indicates use of this procedure in any decision concerning the Standing Orders of the Assembly, even in the case of an interim report which makes no recommendations. From my point of view it is not a very satisfactory position that there is so little flexibility in the interpretation of these Rules. I expect this is something that the Standing Orders Committee will wish to consider.

**Mr Dodds:** I would have thought that where there is no division it was quite evident that there is cross-community support. Mr Empey's point is a good one.

**Mr Farren:** What are we voting on? We are noting a report. If there were a negative vote would we be saying that we do not adopt this report and that the Standing Orders Committee has to go back and start its work all over again?

**The Initial Presiding Officer:** It is not for me to make an interpretation of the meaning of the House's vote but merely to try to conduct it. If there were unanimity then it would be clear that there was cross-community support. That is not the same as saying there was no one against it. There could be Members who were for the motion and other Members who merely abstained — for example, if all Members on the Unionist side voted for and all Members on the Nationalist side were simply to abstain, there would not be cross-community support. If, however, there is unanimity of the House then I would certainly accept that there would be no need for a recorded vote.

In that context, if you will permit me to take a vote — a kind of straw poll — and to judge from that whether we have effective unanimity and therefore not proceed to recorded vote, I am very content to do so. Is that the mind of the House?

*Members indicated assent.*

The motion was carried without Division, the Initial Presiding Officer recording his judgement that the cross-community requirement set out in Initial Standing Order 12(2)(b) had been met through the complete unanimity of the Assembly expressed in response to the Question being put.



*Resolved:*

That the Assembly takes note of the Interim Report prepared by the Committee on Standing Orders and grants leave for the preparation and presentation of a full report by 26 October 1998.

**The Initial Presiding Officer:** The next item on the Order Paper is the motion that the Assembly takes note of the report from the First Minister (Designate) and the Deputy First Minister (Designate). Members should note that, with agreement through the usual channels, it has been decided that this debate should be limited to three hours. I intend to suspend the sitting for about an hour and a half at approximately 1 o'clock for the purposes of taking lunch. Members may wish to take that into account. They may also like to know that the report will be presented.

**Mr McGrady:** Mr Presiding Officer, you said that the debate is to last for three hours. If we were to do what you suggest we would be splitting the debate into half an hour before the break and then two and a half hours. I suggest that we suspend the sitting now and reconvene at an appropriate time.

**The Initial Presiding Officer:** I am a little concerned about your eagerness to leave the business, but I am happy to accommodate the request. However, staff in the refreshment areas were advised that we were likely to be proceeding until 1 o'clock, or shortly after, and that the break would be for about an hour and a half, so you may find that they are not entirely ready. If that is the case I ask you to be considerate and not reprove them.

**Mr P Robinson:** Whilst the staff are heating the soup up, can you tell us how you intend to proceed, Mr Presiding Officer? I understand that the First Minister (Designate) is to speak first. Can we assume that the Deputy First Minister (Designate) will wind up the debate rather than speak second?

**The Initial Presiding Officer:** There has been consultation about this. Normally the person proposing a motion is allowed to speak for 20 minutes. It has,

however, been agreed that the time will be divided between the First Minister (Designate) and the Deputy First Minister (Designate). The First Minister (Designate) will speak first but only for 10 minutes, and the Deputy First Minister (Designate) will speak second for the balance of the 20 minutes.

I will then take interventions from all the parties. Each intervention will be for a maximum of 10 minutes, and I will proceed through party order on the basis of size — assuming that I get names from all the parties which I have not as yet. We will take one run through on that basis. I will try to divide up the balance of the time in proportion to the size of the parties and considering the request for speaking rights as some parties will have submitted very extensive requests, others more limited. I will try to achieve the best balance that I can. There may or may not be any wind-up speeches, but if there is no desire to wind-up, other Members will be allowed to speak in any time remaining.

I trust that is clear, but if it is not I will try to explain it further.

**Rev Dr Ian Paisley:** Mr Presiding Officer, what time do you intend to adjourn the House tonight?

**The Initial Presiding Officer:** The intention is to suspend the sitting by 6 o'clock. The Adjournment debate must last three hours. If this afternoon's debate proceeds for the full three hours — if Members wish to use all of the time — clearly it would not be possible to accommodate the whole of the Adjournment debate. It might have been possible had we been quicker this morning, but that is not so now.

We will need to clarify over the suspension whether Members wish to proceed with the Adjournment debate this afternoon or whether we should suspend the sitting when we have completed the three-hour debate on the First and Deputy First Minister's Report and reconvene tomorrow morning at 10.30 am.

*The sitting was suspended at 12.40 pm.*

*On resuming—*

## REPORT OF FIRST MINISTER (DESIGNATE) AND DEPUTY

*12.10 pm*

**The Initial Presiding Officer:** This debate should be limited to a period of three hours, and I would ask Members who wish to speak to indicate that to me as soon as possible.

The report will be introduced by the First Minister and the Deputy First Minister.

*Motion made:*

That this Assembly takes note of the Report prepared by the First Minister (Designate) and the Deputy First Minister (Designate) and grants leave for the preparation and presentation of such further reports by the two Ministers as are considered necessary. — [The First Minister (Designate); the Deputy First Minister (Designate)]

### **The First Minister (Designate) (Mr Trimble):**

When we last met in July, I spoke of how our community was coming out of a morass of political violence and political impotence, and I cautioned then that coming out of that morass would not be a simple process. However, none of us could have envisaged the carnage and the evil that would be perpetrated against our community in the weeks that followed.

As we meet today in this splendidly refurbished Chamber our thoughts are with those who have lost loved ones, those who have been maimed or injured and whose faith in humanity, let alone democracy, has been profoundly tested. To the Quinn family in Ballymoney, the Kearney family in Belfast, the families of those whose lives were so cruelly ended in Market Street, Omagh, to those injured there and in Banbridge, to the traders of both towns, and to the family of the RUC officer, so grievously injured in Portadown, I convey, on behalf of all Members, our deepest condolences and sympathetic concern.

Our thoughts are also with those who so admirably served this community during some of our darkest hours this summer. To the emergency services — the doctors and the nurses in all our hospitals, the members of the Royal Ulster Constabulary — and to the countless volunteers who sought to help in whatever way possible, we express our deepest admiration and gratitude.

The evil deeds that manifest the depravity of the few bring out the best in the many. There is an inner decency in the community which is the cornerstone

of the whole democratic process. Thirty years of sectarianism, including the most brutal acts of violence,

have failed to extinguish the light of democracy. There can be only one response which reflects the revulsion felt by everyone throughout this island to the Omagh atrocity — there can be no place for violence in the achievement of political goals.

Mr Initial Presiding Officer, I also wish to thank you and all who have worked so hard to prepare this building for our use, including the Chamber in which we are sitting today. It is a tribute to their efforts and a mark of how much they have achieved.

Today we are presenting our preliminary report on those matters with which we were charged on 1 July. All of us are embarking on one of the most novel and challenging journeys in the annals of our democratic system. It gives us a historic opportunity to govern with honour and to create a Northern Ireland at peace with itself.

We have a unique opportunity to develop our own Assembly within a rapidly changing United Kingdom and in a structured relationship with the Republic of Ireland. We must have the confidence to grasp this challenge, to create jobs, foster economic prosperity, tackle divisions, and improve the quality of life for all. Our community deserves the best possible form of government that we can create.

In the near future we will be collectively accountable for the stewardship of the bulk of the £9 billion budget currently assigned to the Northern Ireland Office. When powers are transferred we will have direct responsibility for education, economic development, health, housing, transport, the environment and a host of other functions. We will have the power to pass legislation relating to those devolved matters. We will have the power to address the democratic deficit of which quangos are an obvious symptom, to create the circumstances within which local government can flourish and to work in partnership with the business, trade union and voluntary sectors. We will be able to set new standards in public administration, and provide leadership that will exploit the innate talents and abilities of our people.

*2.15 pm*

I envisage the Assembly as a potentially powerful force for creating, sustaining and strengthening our sense of community and the sense of responsibilities that we have for each other; for formulating and implementing a programme of government that makes a real difference to people's lives. To do this we must set ourselves a clear goal of delivering effective, efficient and quality services to all our citizens, and we must ensure that we command their confidence and respect. As we begin this debate on the various governmental and institutional arrangements stemming from the Agreement, I hope that we can put the needs of people

first. To do so we need a strategic, co-ordinated and integrated approach to government.

I want to thank those who attended our initial consultation meetings last week. I look forward to receiving their written submissions, elaborating on the matters mentioned in those consultations and also containing their views on those matters that we simply did not have time to discuss.

I am very conscious of the limited timescale, not just for last week's consultation but for the timescale within which we have to operate if we are to successfully negotiate this transition. The Bill to implement the agreement goes back to Parliament in October. The Government hope that it will receive the Royal Assent in mid-November.

If there are to be any changes in the number of Departments in the Northern Ireland Public Service then an Order in Council must be made under the Northern Ireland Act 1974 although in principle that is something we are not comfortable with. But, given the timescale and the need for urgency, that is the only realistic way to do it. The Order in Council will have to start its parliamentary procedures by the end of November if we are to have any hope of achieving the transfer of functions in February.

We must also remember that the creation of a new Department could take up to three months to implement. So, if we are to maintain the schedule we must conclude the work on our initial view of the Administration's structure by the beginning of November at the latest.

Any restructuring of government should be driven by the needs of the public and should reflect the policy concerns of the new Administration. In view of the time and cost penalties involved, I am sure that none of us should want to create new Departments just for the sake of it.

By evolving the policy concerns of the new Administration this also has problems. There are a number of major policy reviews which have already been put in train by the Northern Ireland Office for example, — reviews of health, environment and economic matters.

There is also the question of the Northern Ireland budget. The Northern Ireland Office will soon consult with the Assembly about the additional moneys made available to Northern Ireland as a result of the Government's own comprehensive spending review. Although the amount of that additional money itself reflects policy decisions taken by the Government in that review, when the Northern Ireland Office settles the Northern Ireland Budget — which it must do in the course of the next few months — it will be taking decisions that will definitively settle the detailed

expenditure in the next financial year and also, to a considerable extent settle the expenditure for the subsequent two years.

These are the first three years in which the Assembly will be conducting the Administration, yet there is an expectation by the public that the new Assembly and the new Administration will make a difference, — and we will want to make a difference. Rather than implementing cosmetic policy changes in the first year we might do worse than follow the example of the present Labour Government by initiating, on a tight six to nine-month timescale, our own comprehensive spending review and our own comprehensive policy review. We would then be taking decisions which we can implement in subsequent years.

Of course, any comprehensive spending or policy review may have structural consequences and so whatever conclusions we arrive at initially in terms of structures may have to be reviewed at a later stage.

There is a more inflexible timescale with regard to the North/South Ministerial Council. Under the terms of the agreement the Assembly is set the target of agreeing on certain areas of co-operation by 31 October.

The Northern Ireland Office is planning a major investment tour in the United States in October and the Deputy First Minister (Designate) and I have been invited to take part from 7 to 18 October 1998. If the Assembly is to achieve the timescale set out in the agreement, there will have to be an inaugural meeting of the North/South Ministerial Council towards the end of September or in the first few days of October. I am further of the view that substantial business will have to be transacted at that meeting. Indeed, I hope it will be possible to sign off on some proposals for co-operation at that stage.

This, in turn, would require the Assembly to give authority, perhaps within a fortnight from now. There is, therefore, a grave urgency about looking at areas for co-operation in the hope of making considerable progress within the timescale. During our discussions there seemed to be considerable confusion among other parties about the provisions in the agreement for the transitional period. Colleagues seem only to be looking at those provisions on the North/South Ministerial Council that will apply only after the transitional period.

I refer all Members to paragraph 8 of the relevant section of the agreement which makes it clear that there is adequate authority for what we are proposing to do. The Deputy First Minister and I will consider what is put forward in this debate. We may consult further with the parties, and we will bring forward further proposals as quickly as we can.

Whatever decisions we take, we are now in the fortunate position of struggling with democratic, institutional arrangements rather than with the politics of the latest atrocity. I want, as I have said, this to be a pluralist Parliament for a pluralist people in a Northern Ireland in which Unionists and Nationalists work together for the benefit of everyone.

I have welcomed the moves made by those who are crossing the bridge from terrorism to democracy. However, as in all partnerships, the opportunity to implement the agreement in its entirety is predicated on trust and equality. There can be neither trust nor equality if any party to the agreement is not prepared to destroy its weapons of war. Everyone here should rely on votes and not on weaponry. I hope that those previously engaged in violence will now embrace peace with a new vigour.

I am determined to make the agreement work. However, I simply cannot reconcile the seeking of positions in Government with a failure to discharge responsibilities, under the agreement, to dismantle terrorist organisations. The agreement cannot work unless it all works. In presenting this report, I am noting the work completed so far in implementing part of the agreement. We, and the Ulster Unionist Party, will continue doing what is needed to make the agreement work. Let us all do what we all need to do to make all of the agreement work. *[Interruption]*

**The Initial Presiding Officer:** I would remind everyone that it is a discourtesy to Members to allow mobile phones or pagers to go off in any part of the Chamber, and what applies to Members most emphatically applies also to those in the Galleries and elsewhere.

**The Deputy First Minister (Designate) (Mr Mallon):** I would like to associate myself fully with the remarks made by the First Minister about those who suffered needlessly during the summer months. It was a very difficult time, especially for the First Minister and me. It was a cruel summer. However, I believe that we have got several things out of that period which can be shared by everyone in this Chamber.

There is a greater sense of hope for the future and a deeper sense of belief that what we have to do here is create something absolutely new, something very different and something which is at odds with the violence and the brutality that we saw then. That is a challenge that the Assembly must accept, a challenge which we have taken on ourselves and is a challenge that we must work to meet.

It is a more difficult challenge, because communities that maintain conflict have no problem with understanding. An eye-for-an-eye culture does not demand any great comprehension. For a community to

overcome conflict is much more complex. Respect and trust are not built in an instant.

Equality, while it does need laws and constitutions to protect it against abuse, is not built in any Parliament or by any legislation. It is built on the streets and involves dismantling past barriers, promoting tolerance and developing understanding and above all creating space for everyone of us to be inclusive of the other.

We have a very substantial institutional challenge here. For years we decried direct rule. We talked about democratic deficits. We criticised those who made decisions. At times we were right — probably most time we were right — but now we do not have any escape hatch. There are no bolt-holes. It is for us now to assume the responsibility of making those decisions. We have to move from criticism to construction, from making demands to making choices, from claiming rights to taking responsibilities for our own lives. We have to decide how in this Assembly we create not just those institutions but the attitudes of minds in the community which will underpin those institutions and make them work to their maximum advantage.

A new politics has begun. It is time for responsibility and commitment, a time for service to people — to those who elected us, to those who resolve to make this agreement work and to those who themselves have not yet resolved to do so. We in the Assembly have to make sure that we do it in a way that is people-orientated. We have to harness all the advantages we have here, and we have to deal with the disadvantages that we have facing all of us.

When the First Minister (Designate) and I met with parties, certain things struck both of us. We saw strengths and capabilities in the parties, a very constructive impatience to resume responsibility, real concern about what was happening in the community and an understanding of the socio-economic problems that all of us have to face. There was a unique connectedness between the political parties and those who elected them here — probably, in a sense, more immediate and potentially more dynamic than one would find in most other countries.

Our discussions and consultations centred mainly on the creation of Departments, not exclusively but primarily, because it was the first item on the agenda. Many parties gave very differing views, but there were factors that were shared. One was the absolute need to create Departments that were effective of themselves and could make the maximum contribution to the administrative life here and which could deal with those issues which interlock and transcend Departments. Some of them spring readily to mind — for example, how we handle European matters, how we handle the equality agenda, and how we deal with



some issues that run through Departments and are the responsibility of all.

There was almost the unique agreement that we did not want any Departmental silos, that we could not have a situation, where there were six, seven, eight, nine or 10 floating Ministries acting independently, that there had to be a collective view that in any Executive formed would be dealing with one budget, with one governmental approach, and that there could be no luxuries of sitting outside of that.

2.30 pm

We also had deep discussions about the North/South Ministerial Council. As one would be aware there were different emphases and different attitudes in relation to that. But again there was this common strand: what we decide upon after further consultation will be that which is of mutual benefit to the people in Ireland, North and South.

We will not be building ivory towers just to keep Nationalism happy, but something meaningful in terms of the economic, social and cultural life of all of this island. That view also extended into the British/Irish Council, which gives us all a unique opportunity to explore and develop the totality of relationships between these islands, a cliché that has been used for years we now have an opportunity to turn into a political reality.

Some of those areas for consideration are self evident. Transport for an island country such as ours must be one. The currency, common or otherwise, through which our industry will deal, must surely be something that will interest the North/South Council.

The final area that we were charged to consult about and report back on was the creation of a consultative Forum. I am pleased at the remarkable interest there has been in that body. That is not just something typed in the agreement. Given the amount of interest that we have seen, it is something that is organic, and it must be organic, organic in the sense that while it relates to the Assembly uniquely, above that it relates to the community that the Assembly serves, equally uniquely.

The Forum must not be a resting place for those on the way down, or for those on the way up, as such bodies sometimes are. It should not be a place for the great and the good in society who almost seek to have an automatic interest in bodies like these. It will be the success that we can make it when we see people from every walk of life, from every political view and from every social and economic class in that body contributing with us to a resolution of the many problems that we have.

We look forward to further consultation — more in depth and more decisive consultation — and we will do

that with speed. And the consultation should be in the same spirit as this consultation took place. We must show that all Members of the Chamber do take seriously what we have said for years about the contribution that local politics in the North of Ireland should make to our lives.

I finish on this note. There are many divergent people with many divergent views in this Chamber. It will be the strength of that diversity that will actually be a creative, moving force in the working of the Assembly, its Executive and the North/South Ministerial Council, and in relation to the British/Irish Council as well. It will be the motive fulcrum that will allow people on the ground to look at this place and say “Ah they are serious. There is a new politic — not a politic of bickering; not a politic of sectarianism; not a politic of one doing the other down and getting the better of every argument and every decision, but a new politic.” And that new politic will be absolutely impotent unless it can harness the involvement, the creativity and the imagination of everyone here.

**The First Minister (Designate):** And I look forward to that challenge. We can fulfil that challenge only if we all do it together, and together, we can succeed if we do it for the people who need it most — the people whom we represent, living across the length and breadth of Northern Ireland.

**Mr Empey:** All of us welcome the opportunity of turning our minds to the task at hand of establishing the right structures for the future Administration of Northern Ireland. Many Members may not be aware that the Civil Service is currently going through one of the largest changes in its history. It is having to completely change its accounting procedures to create a balance sheet for the activities which it performs on a department to department basis; administratively, this is time-consuming and is imposing colossal strains on the Service.

There have been various hints in the press as to how many departments there will be. Will there be six, 10, 15? All sorts of numbers have been quoted.

In addition there are somewhere between 111 and 145 quangos — I do not know the exact number, but it is certainly large. Some of them are spending colossal sums of money; they are very large administrations in their own right, and it would be wrong if this Assembly were to simply create an additional administrative tier. Whatever we are facing, we face enormous change.

I am strongly of the view that we must not rush helter-skelter into creating new Departments without fully appreciating the implications. Neither can we allow the system to carry on as it is; we cannot allow ourselves to be suffocated by one review after another. If we decide to increase the number of departments or

create new ones out of existing ones, the truth is that we will be spending large amounts of money in perpetuity.

If, say, it costs between £500,000 and £13,000,000 or £14,000,000 to set up a new Department from scratch, that is money which will come out of the Northern Ireland budget every year — not a one-off piece of expenditure. We have got to translate that into schools, hospitals and roads that will not be built, into economic development and initiatives that will not be taken.

Unless we are making compensatory savings in other areas of the administration, all we are doing is increasing the burden of government on the community, and that is not what I believe we are here to do.

I have been equally concerned at the arbitrary way in which some people have said “Oh, we will just have 10” or “we arrived at this figure on a ‘snouts in the trough’ basis” or “There is a mention of up to 10 in the agreement”. The question is: what is needed? What is appropriate? What is right at this point in time? And we also have to be aware that we are being asked to do, in a few weeks, what our colleagues in Scotland and Wales are being allowed to take years to do. A tremendous burden is being imposed upon us and I for one do not wish to see us go ram-stam into something purely to make up the numbers.

We have also got to get away from this idea that if you have a Minister you must have a Department — that is not necessarily the case. It is perfectly conceivable to have Ministers who do not have Departments, who have cross-departmental responsibility, who could, for instance, have responsibility for piloting legislation. There is a range of things that we must look at.

With regard to other parts of the structure — be they the North/South Ministerial Council, the British/Irish Council, and so on — we are getting very positive indications from Scotland and Wales of a willingness to do business with the Northern Ireland Assembly. There have been communications from political representatives over there who are anxious to engage with us, and some of them have even given us ideas as to what issues we might pursue. That is also the case with the North/South Ministerial Council.

We have to see this within the context of the European Union and growing regionalisation. If we had not opted for devolution in this province, we would have been left out of the major constitutional change that is taking place in the rest of the United Kingdom, change which is not confined to Scotland and Wales — London is shortly to get its own Government.

I heard on the radio at the weekend that representatives of the North-East of England have already formed themselves into groups. The North-West is doing the same. The South-West, at local government

level, has an embryonic structure in place. There is this pattern of devolving powers because the United Kingdom and, indeed, the Republic of Ireland are the two most centralised states in the European Union, and that situation is not sustainable in the long term.

Equally I am very pleased that we have decided today to appoint an ad hoc Committee to look into our relationship with the House of Commons. There are major issues there which go back, as Mr Robinson mentioned, to the “West Lothian” question, and that touches on very sensitive constitutional issues.

We should not be a stand-alone instrument here. The House of Commons has power under the Act to make laws for the whole of the United Kingdom, so we will still have to look very closely at the relationship that exists between ourselves and Westminster.

We have complained about quangos year in and year out for decades, and the future of some of the larger ones will have to be examined very closely. What is the future for bodies like the health boards, the Health and Social Services Council and the education boards? We had prolonged debate in the last couple of years about the education boards, many people wanting to retain the existing number. But is it conceivable that we would have an Assembly and a legislature here, yet retain those bodies? I think not.

We run the risk of sending the administration of this province into turmoil and placing question marks over everything. I fear that it is not going to be possible to make an omelette without breaking some eggs. I also suggest that people who are working for those bodies, people who are sitting on those bodies, will have to realise that major change is going to take place.

**Mr Paisley Jnr:** Perhaps Mr Empey will give the Assembly his opinion on the chances of an Executive being formed. At a meeting with the Security Minister here on 6 August 1998 he said that as things stood then the Ulster Unionist Party would not have endorsed the agreement and no Executive could have been formed. Other members of his party insisted that the voters were wavering and that there was a real risk of civil war. What exactly is he saying today?

**Mr Empey:** I do not quite see the relevance of that intervention, but I will give the Member an answer if he wishes.

Unlike his party’s position, which as enunciated at the weekend, is that it is prepared to take seats in Government irrespective of whether there is decommissioning or not, the Ulster Unionist Party’s position is that it is not prepared to do that.

**Rev Dr Ian Paisley:** Is it right for a Member of this House to make a statement that has no foundation in fact?

**The Initial Presiding Officer:** I fear that there may be many such statements made over the next period and I will have difficulty ruling them all out of order.

2.45 pm

**Mr Empey:** The difference between Dr Paisley's party and the Ulster Unionist Party is that he enunciated at the weekend that the Democratic Unionist Party is prepared to take its seats in the Government without a qualification that decommissioning must be involved; that is the difference between the two parties.

I wish to return to the question of Departments.

**The Initial Presiding Officer:** We are coming near to the end of the time allocated.

**Mr Empey:** I hope you will allow me time for the interventions.

We wish to ensure maximum cost-benefit and effectiveness in any changes we make. We must therefore be sure that they are based on solid judgements; that there is a strategy behind what we do; and that that strategy flows into policy. Therefore we will have to review policy and realise that there is a relationship between policy and structure. It is always easy to keep the system that already exists.

While I have no desire to change out of all recognition what has been an effective system, we nevertheless have to make it more responsive. Any changes will have to be made as efficiently and as cost-effectively as possible because if we spend money on administration we remove money from public services.

**The Initial Presiding Officer:** Mr Empey asked whether further time will be allowed in respect of interventions. I must advise that no further time will be made available. I hope this will not discourage Members from permitting interventions, but if they permit extensive interventions the whole proceedings are disrupted. I have to rule that interventions are time lost from a speech, although interventions may, of course, contribute to it.

**The First Minister (Designate):** On a point of order. When a Member gives way he has no way of knowing whether it is going to be a long or short intervention. If interventions look as though they are going to be lengthy it would be helpful if the Chair ensured that they are curtailed.

**The Initial Presiding Officer:** That is a very valid point. I trust that Members will be co-operative and that I will be forgiven for intervening and maintaining a degree of order in such circumstances.

**Mr Hume:** I begin by expressing my deep appreciation to the First Minister (Designate) and his Deputy, not only for the detailed work they have done since taking office but for the Interim Report which they have placed before us. Their work and the Report represent the challenge of a new beginning and the leaving behind of a terrible past.

This new beginning challenges us to put into operation new democratic institutions. These will be shared institutions allowing both sections of the community to work together on common interests, bringing government much closer to the people. People are the only wealth we have, for without them any piece of earth is only a jungle. Therefore it is right and proper that government and the decision-making process should be as close to the people as possible. It is our duty in the Assembly to do everything we can to ensure that that happens as soon as possible.

We should also be deciding as soon as possible what Government Departments we are going to have. There are six at present, but there are differences of opinion among parties about how many Departments and Ministerial portfolios there should be. Decisions also need to be taken about a civic forum and the proposals for areas of co-operation under the North/South body and the British/Irish Council. I would therefore appeal to all parties, in consultation with the First Minister (Designate) and Deputy First Minister (Designate), to reach agreement in those areas as soon as possible so that this institution can get down to the serious work of government.

If we do not get down to that work, this Assembly will become — and we can see it happening already — not just a talking shop about our past, but a “shouting shop” about our past. We want to leave that past behind us, because we all know the terrible price that all sections of our people have paid for that past.

The challenge before us now is to create the new beginning, to implement the agreement that the people have so overwhelmingly endorsed and to implement it in all its detail, which means creating the democratic institutions to allow all sections of our people to work together with respect for one another, and to build a completely new society.

**Rev Dr Ian Paisley:** There is a great weakness in this discussion today. When my party met the First Minister (Designate) and the Deputy First Minister (Designate), we found that they were divided on the question of the Executive. At the first meeting of the Assembly, I said that we were perfectly clear in our minds about the position of the Deputy First Minister (Designate); he had made his position crystal clear. We are not clear about the position of the First Minister (Designate), and in our discussions it was



quite clear that there was a difference between these two gentlemen.

If I understand anything about this agreement, it is that it is based on a partnership between these two gentlemen, in which they have a common purpose, a common task and a common objective. But how can they have that when they are not in agreement?

Representatives of the Official Unionist Party ask, inside and outside this House, what my party is going to do. That does not matter. They have taken the position of First Minister (Designate), and they have a responsibility now to tell the House what their attitude is to these questions? Are they prepared to sit down with IRA/Sinn Féin in a Government of Northern Ireland. What about decommissioning and what about the release of prisoners? They must make their position clear on all these matters.

What we have had today is not consultation because they have not told us what they intend to do. In any parliamentary consultation process there is a Green Paper and then a White Paper. A Green Paper sets out the alternatives, and then a White Paper indicates the mind of the Government. These two gentlemen owe it to the Assembly to set out their position clearly and in writing.

We have heard Mr Empey speculating about the number of Departments we should have, but we cannot have real consultation until the First Minister (Designate) and the Deputy First Minister (Designate) tell us what they propose. The first step in consultation is for them to say "These are the alternatives. We are choosing this alternative, and we want to know your attitude to it." What have they in mind in setting up this Executive?

I would like to know whether the First Minister (Designate) and Deputy First Minister (Designate) believe that they can form the strand of a North/South Council when no Executive is in place? The Assembly needs to know.

I see the First Minister raising his copy of this agreement. I know what it says. It says that they can lead it, but it does not say that they can make it. Of course, he would say that he and the Deputy First Minister are going to make up the North/South Council, and then there will be a very cosy relationship with Mr Ahern and his colleagues — very cosy indeed.

However, there are some Members in this House who want to have some say about what is happening with regard to cosy relationships with the Irish Republic. I ask the First Minister (Designate) to come clean on that. We want to know what is in his mind and that of the Deputy First Minister (Designate) as to what they intend to do about this and what are they going to do about the Unionist Party's attitude to these things

which is on record in the reply to the Member for East Belfast.

The all-important question is when is this Assembly going to have a piece of paper from the First Minister (Designate) and Deputy First Minister (Designate) saying "this is the way we think the Assembly should go"? We heard a suggestion from the First Minister (Designate) that he would like us to write to him and the Deputy First Minister (Designate) with proposals. But the point is that they know the views of those they have talked to about many of these things. Now they have to make up their minds and declare their intent.

There are many other matters of concern — for instance, the Civic Forum. In the House of Commons I said that it was going to be the great monster quango. I notice that the voluntary bodies do not want any elected person to have any say in it. Because they cannot get elected themselves, they feel that all elected Members should have no say. They talk about using the Senate Chamber so we will have a quasi House of Lords attached to this House. They are going to be the grand itinerants. They are going to go from county to county and from place to place.

We also had the suggestion in the House of Commons, in an amendment from the Social Democratic and Labour Party, that the First Minister (Designate) and the Deputy First Minister (Designate) should be the people to choose the members of this body and that the Assembly should have no say whatsoever in the matter. Any body should have the imprimatur of this House upon it. We are the elected representatives; we are the people that were sent here to represent the people.

We do not need this monster quango. We do not need another tier to this Assembly. This is the place where elected representatives should have their say and should make their wishes known. If people want to lobby this body, they can lobby it. If people want to make representation to this body, they can make it. However, to have an outside body with a wider remit than the Assembly is certainly not going to lead to good government in Northern Ireland.

These are the matters I believe this House should be considering and I look forward to the day when we get the piece of paper which outlines the direction in which the First Minister (Designate) and Deputy First Minister (Designate) believe we should go.

*3.00 pm*

The First Minister (Designate) has made a speech that has been strong in description, strong in the parliamentary diary, strong in what the Government need to do and strong in what we need to do. But we have not had one firm suggestion about the number of



Departments he thinks we should have. Is he prepared to sit on an Executive with IRA/Sinn Féin? He has not answered that question, and those are matters that the Assembly needs to consider.

The sooner we come to the crux of this matter, the better for us all. Let us get it out in the open and see what the major differences are between the First Minister (Designate) and his deputy. Let us see what they are and if they are going to handle this matter in a parliamentary way, so that we will know — it will be written down — exactly what they are going to do.

**Mr Adams:** A Chathaoirligh, tá mé buíoch duitse. Lá an-tábhachtach atá sa lá seo. Tá sé tábhachtach mar tá seans againne ár stair nua a chur le chéile. Bhí samhradh millteanach againn. Mar sin, tá súil agamsa agus tá súil ag Sinn Féin go rachaidh muid ar aghaidh uaidh seo amach. Ar son Sinn Féin ba mhaith liom a rá go ndéanfaidh muid ár ndícheall an stair nua a chur le chéile.

It is very important that we see today as a chance to make new history. I noted Dr Paisley, the absentee, occasionally present Leader of the Democratic Unionist Party stressing in his submission that he wants to find out what the differences are between what the Deputy First Minister (Designate) and the First Minister (Designate) are saying. We who have vested interest in the future — Dr Paisley has a great future, and it is behind him — can make this work if we work together.

Now, what do we want to make work? The Good Friday Agreement is very clear. The Assembly cannot exist without all the other inter-dependent and inter-related institutions, whether it is the Executive, the all-Ireland body, the implementation bodies, the British/Irish Council or the policy making bodies. Therefore, when I thank the First Minister (Designate) and Deputy First Minister (Designate) for the report, I have to say that they do need to expedite the content of it. The Good Friday Agreement is very clear about all these matters including the timetable. It is also very — and I am sure everyone here is conversant with it — clear about the issue of executive authority.

What Sinn Féin wants to see in place are real Departments — the present Departments clearly do not work. They are confusing and in many ways incoherent. We have made written submissions to the report which we received as the precursor of this report, and we will do so again. In terms of consultation it is important that we understand that the First and Deputy First Ministers (Designate) cannot forever represent the Assembly. All the parties present here have an automatic right to take their places in the Executive and from there in the Council of Ministers, and so on.

I had written a speech to be made two years ago at the point when our party was excluded from the negotiations and in it I was going to say

“I believe that Ian Paisley and David Trimble, with whom I have many disagreements but who care about their people, can with the rest of us do a much better job running our economy, looking after our Health Service, our elderly, our young, and our urban and rural communities. We do not need British Ministers. The people of this island have the right and the ability to govern ourselves.”

As an Irish Republican I want to see a situation in which the five million people of this island can shape our futures, combat poverty and bring about a whole system of equality and justice.

I know that Unionists and Republicans have inflicted great hurt upon each other. I hear the catcalls from the other Bench, and the gap between us is not just the space of floor which is between us. I want to make friends with Dr Paisley and with those whom he represents. But unless we have a sense of doing this together, then not only will this, as Mr Hume said, be reduced to a shouting shop, but the people who depend on us to take us all out of 30 years of division, the conflict of partition and all the other discriminations and injustices will be very sorely disappointed, and Sinn Féin does not intend to disappoint them.

Sin an méid. Beidh a lán eile le rá againn nuair a bheas an seans againn. I want to wish everyone here good luck. We have had a terrible summer. Many, many people have died. Many families have been bereaved and they and everyone else are depending on us to move the entire situation forward.

**Mr Neeson:** I am very pleased to be back in this Chamber today, and I want to pay tribute to all those who were responsible for its restoration and reconstruction. I remember standing almost on this very spot, almost 16 years ago at the opening day of the 1982 Assembly, and the big difference between then and now is that in 1982 the Social Democratic and Labour Party and Sinn Féin, for their own reasons, had decided not to participate. But today all those who were elected to the Assembly are sitting here around the table to start a new Government, a new chance for the people of Northern Ireland. And I applaud that.

They say that life depends on the survival of the fittest. That is certainly the case in political life. From those heady days in 1982 I am pleased to see here today Mr Taylor, Mr Davis, Mr McCartney, Mr Bell, Mr Peter Robinson, Dr Paisley, Rev William McCrea, the young Jim Wells and last but not least Mr Close. I am delighted that these people are still around to participate in the Assembly.

With regards to the numerical makeup of the new Shadow Executive and the development of the new Departments, Alliance is clearly committed to the establishment of 10 Departments, and I will tell you why later. But I am somewhat concerned by the motivation of some of the people who want only six or seven Departments. Is it for the effectiveness or the efficiency of the new Government in Northern Ireland, or is this another political motive aimed at reducing the numbers from other parties who get seats on the Executive? We in Alliance accept that we will not be getting a ministerial seat, but it would concern me if political agendas rather than the effective and efficient operation of the Assembly were to determine the number of Executive posts.

We see clear opportunities arising from the restructuring of Departments — for example, the Department of the Environment is much too large and there have been problems with public transport for instance. There are certainly arguments to be made in support of the suggestions contained in the annex circulated to us.

We also have the equality issue, which to me does not just mean religious equality. One of the concerns I expressed when the Equal Opportunities Commission was established, was that issues such as gender, disability or race would be overshadowed by the issue of religious equality. However, the establishment of a Department for Equality will give this Assembly the opportunity to ensure that there is true equality for all the people of Northern Ireland. I also see a role for the Community Relations Council in this.

The topic of heritage is a great personal interest of mine, and I would commend the proposals for a Department of Arts, Culture, Heritage and Sport. This could also consider the promotion of tourism in Northern Ireland.

The Alliance Party is currently consulting with other parties in the Assembly to see how the tenth Department could be established. We are strongly pro-Europe, and believe there is an opportunity, if junior Ministries are to be created, to appoint a junior Minister with responsibility for European issues. That person's responsibilities might include the East/West institutions as well as the Northern Ireland Bureau in Washington. I see a need for someone to deal with those issues. Clearly, we need to move this process forward urgently and reach decisions.

Dr Paisley is right to say that there must be full consultation with all the Assembly parties when the First Minister (Designate) and the Deputy First Minister (Designate) are making their final decisions. I hope there will be a further meeting, given the shortness of

the meeting we had the last time. There is certainly a need for further consultation.

It is important that the proposed Civic Forum truly reflects civil society in Northern Ireland, and not, as the Deputy First Minister (Designate) stated, just “the great and the good”, whom many of us have seen posturing around on various platforms over the years.

Time is of the essence, and I hope that all the parties in the Assembly will assist the First Minister (Designate) and the Deputy First Minister (Designate) to come to decisions quickly on these matters. Let us ensure that we meet the demands of our timetable.

**Mr McCartney:** There has been much talk of democracy, particularly from the First Minister (Designate) and the Deputy First Minister (Designate). They have given voice to lofty aspirations about peace, justice and equality. All democrats would share such aspirations. However, there has been a lack of consideration about the foundations upon which the Assembly will be built.

Ostensibly, we are here to discuss the “above-ground” structures — the Executive, the portfolios, the number of Ministers. But we should start by looking at the democratic foundations upon which these structures will be built, and, in a democracy those foundations cannot conceivably include those who are in any sense wedded to the principle that violence in the pursuit of political objectives can in some circumstances be justified.

That is the defining principle upon which the Assembly should consider erecting any structures.

*3.15 pm*

It was noticeable that, while the First Minister (Designate) made what some might call “a hairy-chested” assertion that there could be no question of parties sitting down in an Executive with those who were associated with or intertwined with those possessing weapons, that topic was totally absent from the address of the Deputy First Minister (Designate).

The Assembly has also heard about the importance of the First Minister (Designate) and the Deputy First Minister (Designate) discussing with their counterparts in the Republic — as part of the North/South Ministerial Council — the sort of all-Ireland implementation bodies that are to be created. However there has been no hint of what those implementation bodies will do.

Members have, of course, been told that, on the one hand, these bodies will be relatively “Mickey Mouse” affairs, concerned with teacher training, animal husbandry, hygiene and, possibly, tourism. However, the Deputy First Minister (Designate) has more

substantial powers in mind. In yesterday's 'Sunday Tribune' he stated

"the significance of the North/South Ministerial Council is not symbolic; it is practical: its role will be to deliver real benefits for both parts of the island."

So far so good.

"There can be no real argument any more about the potential benefits of a one island approach across the spectrum of economic and social issues. It must benefit the people of Northern Ireland to be able to tap-in to, and to link up with, the most successful economy in Europe this decade".

That is a totally erroneous statement, and very soon the four legs — and possibly the tail as well — may come off the "Celtic tiger". Be that as it may, that is an expression of opinion. It is clear that the Deputy First Minister (Designate) sees these bodies as being of real importance.

Once you have the economy and the social structures for delivering the social services of two countries completely intertwined and united, you have effectively a united country. That is the vision of the Deputy First Minister (Designate). It is not apparently the vision of the First Minister (Designate). These are anomalies that will have to be resolved.

But let us look at the timetable for this. I happen to share with the Leader of Sinn Féin the view that the first priority of the two Ministers, and of this Assembly, is to appoint an Executive. When that Executive is appointed — whether it comprises 10 Ministers or seven Ministers — those Ministers will have to be appointed in accordance with the d'Hondt principle.

Under the terms of this agreement, all parties that qualify under the d'Hondt principle will be entitled to take their seats, including Sinn Féin. In relation to decommissioning Sinn Féin is only required to do nothing more than use such influence as it may have with those organisations said to be associated with it and who are in possession of weapons.

It was upon that principle, among others, that I opposed the agreement. But that is the agreement, and there is much strength in the suggestion that the First Minister (Designate) is now attempting to shut the stable door after the horse has gone.

On democratic grounds Sinn Féin ought not to be entitled to take Executive positions in the Government while it remains inextricably linked with an organisation that refuses to decommission. But that is not what the agreement says. This is a fundamental issue which will have to be resolved. It suggests that the two Ministers will arrange some, if not all of the implementation bodies in the agreement.

We are not told what those implementation bodies will be decreed to do. However, the Assembly will have

to give its consent to the Ministers plan, and Members will be told that unless they accept these implementation bodies, under the principle of mutuality this Assembly will fail and with it will go the blue carpet, the plush chairs, the emoluments, and the facilities. That will be the price for saying "no" to the implementation bodies proposed.

Those implementation bodies are being proposed out of chronological sequence as it appears on this document. The first item that the Ministers were charged to deal with was

"the basic structures including the agreement on the number of Ministerial posts, and the distribution of executive responsibilities between those posts".

Then there was

"the preparation for establishing the British/Irish Council and the North/South Ministerial Council, and associated implementation bodies".

Why are the roles being reversed? They are being reversed because the First Minister (Designate) does not believe that his party will sanction sitting down with Sinn Féin as joint members of an executive, while the IRA has not decommissioned any of its weapons. He believes that if he reverses the role, he may persuade his party to back him and give him authority to agree all-Ireland implementation bodies at the price of not losing their positions. Everyone who claims to be a democrat will have to think about his personal interest, emoluments, or facilities will be the price that will have to be paid for agreeing to do something which as a Unionist, regardless of his party, he ought not to do.

I would like to return to the question of being able to change designation. The issue was made clear by Ms Morrice when she said that her party was charged with protecting the agreement. If a majority of Unionists vote for some matter that may cause the agreement to be put at issue, the Women's Coalition Members are saying that they would become Unionists for the day in order to frustrate a true Unionist majority vote on that issue. In other words the agreement would be placed above the principles of democratic representation.

I believe that this Assembly will fail unless it is based on the solid foundation of democracy. I do not disagree with the entitlement of Mr Adams, Mr McGuinness and all the other members of Sinn Féin to forcefully, politically and democratically, advance their ideal of a united socialist Irish Republic. What I fundamentally disagree with is that they should directly or tacitly or in a hidden way, be associated with the threat of violence, if this process does not deliver progress in that direction.

My remarks are equally applicable to any other party. I specifically mention the Progressive Unionist Party



which is in a similar position in relation to an armed organisation. In regard to this matter my feelings towards them are exactly the same as my feelings towards Sinn Féin. Democracy must prevail, and there must be no particle of violence or the threat of violence of any kind in the basis upon which we erect the structures and institutions of government for Northern Ireland.

**Mr B Hutchinson:** When the Leader of the United Kingdom Unionist Party said that he agreed with Mr Adams, members of the press left the Gallery — I think they wanted to get to a microphone but they should have waited until I spoke. They would have been shocked to hear that I happen to agree with Mr McCartney's position that Sinn Féin has a legal right to get into the Executive without decommissioning.

What we need to concentrate on — *[Interruption]*

People should stop catcalling and let others speak. I did not catcall when other Members were speaking. The public are watching, and they will recognise the childish behaviour of some Members.

There has been a lot of talk about taking time to ensure that we do not make any mistakes. Before we had this Assembly, and even while we were moving to this building, I heard a lot of discussion about the Civil Service and about the amount of power that it had been given because of direct rule.

The Progressive Unionist Party believes that there needs to be 10 Ministers and 10 Departments, because the agreement says that we need to represent society. If we do not have these Ministers and Departments, we will not be able to provide recognition for all the people who make up our society. We also believe that it needs to be done quickly for that very reason. We need to get rid of the status quo and show people that this is a new beginning.

We need to ensure that those Departments can deliver a service to the people. We should not sit here for the next two years, doing exactly what the Labour Government are doing now, or what the Tory Government did before them for 17 years. They made lots of mistakes, and we have an opportunity to put those mistakes right. We know the problems in this Province.

We know that only the top 20% of our young people get a decent education. Many of us represent working-class areas where education is disadvantaged, and we need to change that. Sinn Féin Members have to realise that their people do not have a monopoly on disadvantage or deprivation. When we get to the equality agenda, Sinn Féin and the Social Democratic and Labour Party will have to recognise that we also

have problems, not only in terms of socio-economic issues, but in terms of our culture.

That is why we need to ensure that we get these Departments right. We also need to make sure that the delivery mechanisms and the programmes are right. We support Junior Ministers, because we believe that they could push these programmes.

We hope that other Members will support us in this. We need to move as quickly as possible to make any headway before Christmas. The parties have been around for a long time, and they know the issues. They should also know the Departments that are needed.

I am not sure that the economic argument is one that stands up. There are opportunities already mentioned by the First Minister (Designate), in terms of the Chancellor's money. Is the money additional or not? If it is additional, how can we use it? We should not be worried because we will have a Minister with the departmental responsibilities. Then we have to pay for civil servants. If the money is delivered to people on the ground, and the intervention is at the right level, let us do it. Let us not waste money but make sure we spend it correctly.

In terms of the Departments, who is going to be given the "poisoned chalice" of Health? We do not have that problem. We can sit back in constructive Opposition and criticise when mistakes are made. It will be interesting to see who gets it — and we hope that he gets it right. We hope he does better than those before him did.

3.30 pm

The Progressive Unionist Party believes that in all parties in this Assembly there are people who would be quite capable of taking on the ministerial and junior ministerial roles, and while we will not be out to criticise those people we will make sure that they do their jobs and where necessary we will provide constructive criticism. We recognise that over the summer months the First Minister (Designate) and Deputy First (Designate) Minister did not have the time to do the necessary amount of consultation work, but let us hope that in the next few weeks it can be done quickly.

The Progressive Unionist Party will certainly be proposing that there be 10 Ministers and 10 Departments, and we be outlining them in great detail. I hope that the First Minister (Designate) and Deputy First Minister (Designate) will pay as much attention to our paper as they will to those of the larger parties.

**Ms McWilliams:** The Northern Ireland Women's Coalition Party welcomes this opportunity to respond to the report by the Deputy First Minister (Designate) and First Minister (Designate). We have relied on an



unaccountable form of Administration for too many years, but now we have the opportunity to take accountability for our own future.

Much work is required to mould this new Government and Administration, and it needs to be done both strategically and collectively. However, we could move so fast that we do not take enough time to look at continuity and what needs to be put in place. This is the difficulty we face in building these new Departments. We have to ask ourselves what was there before, what worked and what did not work; and what must we now put in place that could possibly work.

Dr Paisley mentioned the Civic Forum, which is preceded by the word "consultative". Who could possibly see it as a disbenefit to the Assembly that we consult? There are many trade unionists, business people and members of civil society currently implementing structures in health, education and in the world of sport and the arts who would be only too glad to lend themselves to that consultation process. We have a responsibility as elected Members to consult them on how they see the way forward.

When the Deputy First Minister (Designate) talked about our rights, he was correct to also point out our responsibilities. We have a right to put these Departments in place, and we have the responsibility to ensure that they work. The people of Northern Ireland know only too well that one does not constantly demand one's rights without taking one's responsibilities just as seriously.

Another huge responsibility for us is that of putting the community to the fore rather than our own party political needs. In response to Mr McCartney's point, may I say that my Colleague, Ms Morrice, was not just protecting the agreement in a partisan fashion; she was protecting the agreement in its totality. No matter whether she feels on any given occasion that representing a Nationalist part of the community or a Unionist part of the community, she tasks herself with the larger job of representing all of the community. That is the responsibility which we now have.

We have currently a number of Departments with high expenditure and large policy units. These need to be looked at. The Deputy First Minister (Designate) has suggested that we should look at integrated policies across all the Departments. The issues of equality, human rights and reconciliation need to be looked at with regard to integration. It is, however, such a large portfolio that it may need its own ministry. It struck me very forcefully on entering the Building today that there was a table to my right which carried the legend "Strangers". I thought "Who are they talking about? Are they talking about the Members of this House who do not know each other or about the people who are coming for one day". I think the Department that deals

with equality, human rights and reconciliation will have to consider the issue of "strangers".

There are other issues we have never had to deal with before which we will now have to tackle. What do the victims in society need? There was not time when negotiating the agreement to deal with that question. After our most painful and cruel summer we now need to look at it as a serious resource issue.

On the issue of children and young people, Government Departments were established before issues of child abuse or violence against women and children were recognised as problems. When something is named one has a responsibility to put in place policies and to ensure that they are enforced. We have named our new problems. Let us build a new Government which will take them on board.

The current departmental structures are problematic. The Department of Agriculture, for instance, has a problem when it is dealing only with the producer and not with the consumers. Is it right, for instance, that the producers of food and those responsible for food safety should sit within the same Department? That is one example. Where do we integrate and where do we separate?

One thing that we felt very strongly about when we were negotiating the agreement and which, as Mr Mallon said, will be an integral part of the new decision-making process was the Civic Forum. There are many voices which were never traditionally heard in Northern Ireland. Perhaps Dr Paisley was right when he said that they were politically homeless and that they are represented by the elected Members of this House.

I would argue that it is going to take many, many years for people to join the political parties as they are now constituted. Some people cannot, because of their jobs or occupations, be seen to be associated with political parties. That does not mean that they are not playing a huge role in society. I believe that we could have had an enormous crisis of Bosnia-type proportions if we had not had such a buoyant civic society to turn to at the height of sectarian divisions over the past 30 years. Let us build on it; let us not knock it.

There are many walls coming down. Let us build using the same bricks, the bricks of civic society, to put in place a different kind of forum. People outside are ready and we must show that we will soon be ready to put the structure in place.

My final question could perhaps be answered in the summing up. What is meant by paragraph 4.12 of the Interim Report? It says

"It is anticipated that the inaugural meeting of the North/South Ministerial Council will take place in the near future."

Who will be at that inaugural meeting? What is meant by the near future? We need answers. We have

moved at enormous speed since Good Friday, and some of us might have said that it was so fast that we could not keep up with it. We went from the agreement to the referendum, out of the referendum into the elections, out of the elections and into the first meeting of the Assembly in Castle Buildings, and now into our new building. We were right to move at that momentum — when there are vacuums, there is tension, and we must not create more vacuums because tension will increase. The Executive should be set up as soon as possible. We have meetings in place to help us do that, and thereafter we will establish the North/South Council and the British/Irish Council.

Finally, I would like to thank all those in the Secretariat who were responsible for this report. They have had an enormous job during the summer, but it is good that we have the report in front of us now, tiny, and interim as it is.

The people of Northern Ireland did not send us here, as Mr Hume said, to sit around and talk or to sit around and shout at each other, but to start building. We went out in June to fight and win elections. Now we have been tasked to govern and lead.

**Mr Taylor:** This has been a very reasoned and level-headed debate. Indeed, this is a very good, initial, formal meeting of our new Assembly for Northern Ireland here in our Parliament Buildings at Stormont. I, of course, have served in many devolved institutions in this building, in the old Parliament, in the two subsequent Assemblies and in the Constitutional Convention. Each of them failed in its own way, and that is history now. We now have a chance to move forward in Northern Ireland.

Unfortunately, we meet against the background of what has been a tragic summer, and I join those Members who expressed sympathy to all who suffered from the terrible terrorist incidents, to the families who were bereaved, and to those who have suffered grievously, an experience of which I have personal knowledge.

Mr Adams mentioned this Building. In time it will be a great asset for all the people of Northern Ireland. Decisions have been taken to spend £60 million or £80 million on buildings for the Parliament in Edinburgh, the Assembly in Cardiff and the City Council in London. Not only have we saved money, but we will have the best building of any devolved institution in this nation.

Devolution is not just limited to the United Kingdom. The Republic of Ireland also will have to proceed towards devolution soon if it is to benefit from Objective 1 allocations by the European Union.

This debate is about the report from the First Minister (Designate) and his deputy, and we all owe

them a vote of thanks for the way in which they have given leadership to the people of Northern Ireland during the last, most difficult, two months. I express my personal appreciation of David Trimble and Seamus Mallon for the way in which they worked together at a time when they could have been so easily divided by the tragedies, and that would have had a divisive effect on the community in Northern Ireland.

*3.45 pm*

I witnessed their working together while I was abroad on other business for the Council of Europe. I have seen it in the European media, and I have listened to foreign politicians. They are all impressed with the kind of new leadership that is emerging in Northern Ireland. In this report the First Minister (Designate) and the Deputy First Minister (Designate) have managed to make progress on all the fronts that we would expect them to, and they have done it quickly.

There has been much to do. There has been criticism that there is no real meat in this report but in the short time over the summer — a holiday period — they have managed to bring forward this report which covers all aspects of the Northern Ireland Assembly's work. They deserve our appreciation. I know it has been a demanding time for them and their families, friends and colleagues. I thank them very much for this report which has been well received by Members.

Ms McWilliams asked about paragraph 4(12) and wanted to know the meaning of the phrase that the North/South Council would meet "in the near future". The First Minister (Designate) made it clear in his opening speech that the timetable for the North/South Council was quite inflexible. It is laid down in the Belfast Agreement and progress has to be made. He mentioned likely dates for the Assembly to meet to approve proposals for the first North/South Council meeting.

There has been much debate about the numbers of Departments, the number of Ministers, whether there should be a Minister for each Department and whether there should be shared responsibilities. That has all to be studied in detail, and that must be done on a consultative basis by the First Minister (Designate) and Deputy First Minister (Designate) along with all the parties. I hope that when they do come to it — and I am glad to see there is to be some reference to European Union matters which are much more relevant now than they were in the previous Assemblies and the previous Parliament in this building — that they will cover subjects such as sport.

Sport should be given greater priority in Northern Ireland's political life. We have had a great success today at the Commonwealth Games where we

won one of the shooting competitions. *[Laughter]*. I am glad to see Mr Adams laughing. It was with legal firearms, but it was a great achievement for Northern Ireland to win its first gold medal. Let us hope that it will win more. The Northern Ireland cricket team did well last week in Kuala Lumpur, and we are doing well in Gaelic — oh yes, Gaelic exists in Northern Ireland, and I recognise that. Unfortunately we are not doing so well in soccer, but Eddie Irvine, whose home town is near my constituency, did well yesterday. We have a good record in sport, and we should give it greater support and emphasis.

The number of Ministers will, of course, relate to various subjects such as sport, the European Union, and all the various departments which presently exist in the Northern Ireland administration, but it will also depend on whether we are able to form an Executive. That, of course, raises the question of the decommissioning of illegal firearms and armaments, and those who have an influence on that matter will be required to address that before real progress can be made.

One of the problems in Northern Ireland life under direct rule — and we all know this, no matter what party we belong to — has been the rapid growth of quangos, of unelected people dictating what should happen in our communities throughout Northern Ireland. Of course, one of the reasons for that was that we did not have an elected forum representative of all the people of Northern Ireland. We have that now, and that means that we in this Assembly must begin to address the issue of removing many of these quangos and reducing public expenditure.

I will give Members one example. Road schemes are important, and the most important road scheme in Northern Ireland is the Comber bypass. The cost of building it is estimated to be £3 million. Some years ago, the Northern Ireland Office created health and social services councils in Northern Ireland — quangos — in order to represent public opinion to the health boards. It costs £750,000 per year to run these quangos, the members of which are not known to the public and probably not even to the politicians. Abolish these councils and in four years we will have the £3 million needed to build the Comber bypass. There is one example of how to run this country.

There are other important issues too, of course. For instance, we have far more levels of government in this country than any other region in Western Europe. That is the kind of issue that Members must address.

Of course, there is a role for the Civic Forum. It is recommended in the Belfast Agreement — I wonder how this term “Good Friday” came in. We should keep away from religious terms and stick to the proper name, which is the Belfast Agreement. The Civic Forum was one of the issues in that agreement, and we will make

every effort to implement it. It must be considered in greater detail after more consultation. Numerous organisations are already taking an interest in it, which is encouraging. We must make sure that it is representative.

I am thinking purely of the business community, because although we do have organisations — and some of them now have Members elected to this body — nonetheless, some of those organisations are not totally representative of the business community in Northern Ireland. Ninety per cent of the firms in Northern Ireland that employ 10 or more people are not in the Confederation of British Industry, so how can the CBI claim to speak for business in Northern Ireland? The Institute of Directors is an excellent organisation. However, there are 27,000 directors in Northern Ireland and only 500 of them are in the institute. Let us get the Chambers of Commerce and the Chambers of Trade involved — they represent businessmen in this community as well

We have an opportunity to look not to the past — much of which I take a pride in, incidentally, but there were mistakes as well — but to look forward and together, representing Nationalists and Unionists and those who do not know what they are. Let us try to work together to build a better Northern Ireland which will be peaceful and bring greater prosperity. Between us we can make Northern Ireland one of the stars of Western Europe.

**Mr McGrady:** It will not surprise the Assembly to hear that I wholeheartedly welcome this interim report. I endorse what Mr Taylor said regarding the leadership and the example which was given to this community by the First Minister (Designate) and the Deputy First Minister (Designate) by their manner in the midst of the very trying circumstances of what has been called “our wicked summer”. They showed this community how we can overcome those who try to destroy us and those who try to divide us, and their very appearance together was a healing force at a time when that was most needed.

The agreement is similar to the iceberg: we just see the tip of it. All of us who have participated in the various Committees of this Assembly know well the quantitative work carried out by all the parties and the co-operation and the good will which existed in those Committees. Sometimes that imagery of hard work and co-operation has not always filtered out to the general public. Indeed, if they will forgive me for saying so, some parties would not like word to filter out that we have executive decisions to make, execute and act upon, following agreement among all the parties in respect of many matters affecting the administration of this House.



We accept the entitlement of Members to oppose the agreement and to uphold certain policies. However, I question whether it is right for parties to thwart the will of the people who have said in a referendum that they want the structures outlined in the agreement to be put in place for the governance of the Six Counties. Parties who are tempted to frustrate the will of the people must ask themselves that question.

Some Members have already indicated the enormity of the challenge before us. We have all been presented with a clean sheet — a square pad — in which we have to fill in all the details of the new Government from start to conclusion. That is an awesome task and it is allied to the urgency which is dictated to us not just by the agreement or by the legislation, but by very practical circumstances. I refer to the consequence of undue delays in the governance of Northern Ireland at the moment.

Some Departments are not acting because they are waiting for the outcome of our deliberations. Others are acting precipitously, introducing new policies and new ideas, knowing full well that we are opposed to some of those decisions. As we sit here, Ministers and civil servants are imposing policies and executing policy which is contrary to the cross-Floor support of this Assembly. This is a matter of great urgency that must drive us above anything else of a practical or political nature.

The structures that we are trying to put in place must be looked at from a radical point of view. A Member said earlier that there were many building blocks within each Department. But those building blocks do not have to stay within those Departments and they should be, and must be, moved around to give the improved delivery of service that we have promised to deliver to the people over many years of electoral campaigns. It is important that we address this issue quickly and urgently.

The agenda for equality of esteem and for equality of participation is cross-departmental and the necessity to have community relations enhanced and advanced is trans-departmental. But there are many other aspects, economic and policy-wise, of Departments that must be looked at in a very fundamental way to bring about the structures which will deliver the best possible service to the people we represent.

4.00 pm

There are two constraints on that. There is the need to agree policy between ourselves for the administration of all those economic and social matters for which we will be responsible. That in itself is a very daunting task. Added to that, of course are the consequential financial burdens that we must carry. This Assembly

must be frugal, as Mr Empey has said, and ensure that decisions do not waste money on administration which, the Social Democratic and Labour Party has always preached, should be put into services and their delivery.

This should be the urgency with which we must address these things. We must shorten the period of the vacuum which has been created and address these executive decisions which have been taken against our will. That is why the process must trundle on much more rapidly than any of us might wish.

There is a comment in paragraph 4.12 about the inaugural meeting of the North/South body. There is nothing hidden in that agenda that I can see. There is nothing that cannot and will not be addressed on the Floor of this House. We must have an inaugural meeting to discuss the broad parameters that will facilitate the process. That applies also to the British/Irish Council and to the Civic Forum — it applies to all.

What we really need is more trust between one another. Let us give one another that trust for the next couple of months and see where that get us. All being well, we will have an effective and servicing administration that is endorsed by everyone in this Chamber.

**Mr P Robinson:** It is regrettable that the First Minister (Designate) and the Deputy First Minister (Designate) have failed to carry out the first task with which the Assembly charged them. They were charged, at our meeting in July, to bring forward proposals on all of these matters. They have not done so.

As far as the Democratic Unionist Party is concerned let me make it very clear that we intend to implement our manifesto commitment. That commitment is to hold the First Minister (Designate) and the Prime Minister of the United Kingdom to the pledges that they made during the referendum campaign, and when Members of the Assembly start talking about the great support that this agreement had from the people, they had better remember the basis upon which that agreement was reached.

It was reached because very clear commitments were given, in one case in Parliament by the Prime Minister, that substantial decommissioning had to take place before Sinn Féin would be allowed in Government, that they had to give up violence for good and they had to be committed exclusively to peaceful and democratic means. On that basis the Democratic Unionist Party believes that it is proper that it uses its energy and its talents in the best interests of the people of Northern Ireland — and we will do that in or out of office.

As far as the Departments are concerned it is slightly nauseating to look at the attempt by some to carve up the Government of Northern Ireland on the basis of jobs



for the boys. The only issue that the Assembly should be considering is how Northern Ireland can best be governed — how many Departments would allow for the best form of government.

Mr Hutchinson indicated that he believes that to be 10. He could be right. Few of us, if any, have sufficient experience of the workings of government to be able to make that judgement.

There is a case for looking at the status quo more closely in the initial period. I agree with the Alliance Party who drew attention to the Department of the Environment, being regarded sometimes as the “Department of Everything”. It is far too large and should be split. There is a clear case for keeping the existing Departments, dividing the Department of the Environment into two and getting ourselves off the ground on that basis. Six months or a year down the line, with the experience that we have gained, we may decide whether there should be eight or more. Indeed, if we do not do that, the review will be Civil Service-led. Civil servants will walk over Members in terms of their experience of what happens in each of the Departments.

**Mr Empey:** If the number of Departments is entirely politically driven at the outset and we subsequently review that number in the light of experience, does the Member agree that it would be easy to go up to the top limit of 10 but virtually impossible to come down?

**Mr P Robinson:** I agree entirely. There are political difficulties in reducing rather than increasing in the future. One clear division that my colleague and I had with the First Minister (Designate) and the Deputy First Minister (Designate) during our meeting was when reference was made to the issue of junior Ministers. An attempt was clearly being made, on foot of an amendment by the Social Democratic and Labour Party at Westminster, to put that into the hands of the First Minister (Designate) and the Deputy First Minister (Designate). That would be contrary both to the agreement and to the Bill which is presently before the House.

The d'Hondt principle guides not only ministerial positions but also the positions of Chairman and Deputy Chairman. Without distinction, the section that deals with Executive authority in the Belfast Agreement states

“Following the election of the First Minister and Deputy First Minister the posts of Ministers” —

it does not reflect whether those are senior ministerial or junior ministerial posts —

“will be allocated to parties on the basis of the d'Hondt system.”

Therefore it is clear that if the First Minister (Designate) and his Deputy were to step outside the terms of the agreement and the Bill, they would face serious legal difficulties and there would be serious implications for the workings of this Assembly. I urge caution upon them in case they determine to select their friends for junior ministerial posts and impose them on us.

Under the d'Hondt system, the task of making those nomination is given to the Leaders of the political parties or their nominees. As a party, we would not want the First Minister (Designate) and the Deputy First Minister (Designate) to choose anyone for a junior ministerial post from among our ranks — not that they are likely to do so.

As far as the North/South structures are concerned, I was alarmed to read in the note that was presented to us from Paul Murphy that he saw the issues listed in the Belfast Agreement as a “baseline position”.

The Democratic Unionist Party considers it to be beyond the limit — not as a baseline from which the Government or this Assembly may move. It goes far beyond what is acceptable to the Unionist community.

The other issue is in relation to the Civic Forum. I do not believe that the Civic Forum should meet in this Building. If it does, it will be considered as something of a Second Chamber. It is a consultative body. We have all had opinions given to us by people in the various sectors that are listed in the agreement, and I do not see a difficulty in their having expressed these views, but it is quite another issue as to how structured the presentation of those views should be.

Those are not the only sectors that should be considered. For example, Mr Taylor referred to sport, an area of significant interest in Northern Ireland and one that should be considered by the Civic Forum. Local government is clearly another important area that should be considered. The Civic Forum should not meet in Stormont and become a poor man's House of Lords for the Northern Ireland Assembly.

I am also somewhat concerned at references in this document that was presented to the First Minister (Designate), the Deputy First Minister (Designate) and to the various political parties as part of the consultation. There is a clear indication that some civil servants view the new Assembly as an opportunity to change the way Northern Ireland is governed for their benefit.

To say the least, there is an implication in the agreement that the plan is not to make Northern Ireland more democratic, but to encourage something similar to the peace and reconciliation partnerships where various non-elected bodies are involved in government. The Democratic Unionist Party has common cause with the

Ulster Unionist Party on quangos. We want to remove as many of those quangos as possible, as quickly as possible and make public life in Northern Ireland more democratic. However, to replace them and, indeed, replace local government with some form of even greater quango would be a retrograde step and one that I would not want the Assembly to support.

The First Minister (Designate) and the Deputy First Minister (Designate) have failed to grasp the key issue, which is that their report should have contained recommendations on the number of Departments and other issues. There is only one factor stopping them from doing that, and that is the reluctance of the First Minister (Designate) to grasp the nettle of Sinn Féin's participation in government.

I agree with Mr McCartney: the Belfast Agreement makes it very clear that Sinn Féin is entitled to places on the Executive on the sole basis that the party uses its influence in respect of decommissioning. The First Minister (Designate) does not want to show the people of Northern Ireland that he misled them during the referendum campaign when he said that he could prevent Sinn Féin representation on the Executive. He must face up to that issue.

As soon as the Additional Standing Orders are agreed we will have a mechanism whereby Members other than the First Minister and Deputy First Minister can bring the issue of exclusion to the Assembly. If the Assembly judges that there is a party that is not committed exclusively to peaceful and democratic means, it has the power to exclude its Members from ministerial posts in the Executive. Certainly the Democratic Unionist Party will be willing to raise that issue in the Assembly and give the First Minister the opportunity, rather than sticking his chest out, to do something tangible.

The minutes of the meetings of the Ulster Unionist Party's Assembly Members make it abundantly clear that many of them are not prepared to accept Sinn Féin in government. On the radio this morning Mr Taylor berated the Democratic Unionist Party and said that since they sit down in councils with Sinn Féin they should be prepared to sit with them in government. If that is the position of the Ulster Unionist Party, then there is no bar to Sinn Féin being in government, as far as they are concerned. I would like to hear some of the Ulster Unionist Party's Members saying whether they agree with Mr Taylor on that matter.

4.15 pm

**Mrs de Brún:** A Chathaoirligh, in alt 4.12 den tuairisc ón Chéad-Aire agus ón LeasChéad-Aire deirtear go mbeidh céad cruinniú na Comhairle Aireachta Thuaidh-Theas ann roimh i bhfad ina ndéanfar plé cuimsitheach ar réimse leathan ábhar.

Aontaím go hiomlán leis an Chéad-Aire go bhfuil spriocdátá romhainn agus go gcaithfidh muid tabhairt faoin obair go práinneach. Ba chóir go mbeadh an Comhairle Aireachta Thuaidh-Theas ag teacht le chéile go rialta agus go minic i rith an tréimhse idir an toghchán don Tionól agus an t-aistriú cumhachtaí chuig an Tionól. Deich seachtain i ndiaidh an toghcháin níor tháinig an Chomhairle Aireachta le chéile go fóill. Is ceart agus is cóir, mar sin de, go mbeadh cruinniú ann roimh i bhfad.

Ach is léir ón Chomhaontú gurb iad na hionadaithe ón Tionól don Chomhairle Aireachta Thuaidh-Theas an Chéad-Aire, an LeasChéad-Aire agus na hAíreí iomchuí.

Is léir domh chomh maith go gcaithfidh na hionadaithe sin dul i mbun chlár oibre a chiuimseoidh dhá réimse déag ábhar ar a laghad ina ndéanfar comhoibriú agus forfheidhm le go mbeadh an obair sin curtha i gcrích faoin 31ú Deireadh Fómhair.

Ní féidir leis an Chomhairle Aireachta Thuaidh-Theas dul i mbun an chlár oibre sin gan na hAíreí iomchuí don réimse ábhar ina gcuirfear na comhlachtaí forfheidhmithe uile-oileán ar bun.

Aontaím leis na teachtaí eile ó na páirtithe eile a léirigh amhras nó a thóg ceist faoi rún an Chéad-Aire agus an LeasChéad-Aire ó thaobh na cruinnithe sin. Aontaím go hiomlán agus go háirithe leis an Ollamh McWilliams go gcaithfidh muid freagra a fháil faoi sin go luath. Ó thaobh ceist cá mhéad roinn nó cá mhéad aire a bheas ann, aontaím leis an Uasal Seán Neeson.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. Will you rule on whether the Member has strayed from the subject?

**The Initial Presiding Officer:** I have some difficulty even with those who are speaking English.

**Mrs de Brún:** Aontaím go hiomlán leis an Uasal Seán Neeson nár chóir go mbeadh páirtí ar bith ag moladh méid áirithe roinn nó méid áirithe airí le bob a bhualadh in aghaidh páirtithe eile. Ní shin an modh oibre a ba chóir a bheith againn ag an phointe seo. Tá mé féin ag dúil, mar atá an tUasal Paisley, le tuairisc nó le moltaí cuimsitheach a théann isteach chuig na mionphointí faoin mhéid ranna agus faoin saghas rannóga a bheas ann. Tá mé ag dúil leis an mholadh sin roimh i bhfad.

Paragraph 4.12 of the interim report from the First Minister (Designate) and the Deputy First Minister (Designate) states that the inaugural meeting of the North/South Ministerial Council will take place in the near future, when

"we hope there will be a substantive exchange across a range of matters with Irish Ministers."

I agree with the First Minister (Designate) when he says that, given the approaching deadline, Members should approach this work programme with a sense of urgency. Therefore we need a meeting. The agreement makes it very clear that the North/South Ministerial Council should meet regularly in the time between the election of the Assembly and the transfer of power to the Assembly. Ten weeks have passed since the election to the Assembly and there has yet to be a meeting. I, therefore, agree that we need a meeting very soon.

The agreement also makes it clear that the representation from the Assembly to the North/South Ministerial Council consists of the First Minister (Designate), the Deputy First Minister (Designate) and any relevant Ministers. It is therefore clear that the North/South Ministerial Council cannot have the type of substantive exchange across the range of matters that is envisaged and we cannot put together a work programme which will bring into being the implementation bodies and complete that programme by 31 October without the appointment of the relevant Ministers for those areas covered by the implementation bodies.

I therefore concur with Members from the other parties who have expressed concern about or questioned how that meeting should proceed. In particular, I agree with Ms McWilliams that we need to get clarification very soon on how the First Minister (Designate) and the Deputy First Minister (Designate) see that meeting. I acknowledge that Mr Taylor said that we have had such an answer, but I do not believe that we had such an answer today.

With regard to the number of Departments or Ministers we need, I totally agree with Mr Neeson that that proposal should not and cannot be put forward on the basis of scoring points against other parties. That is not the way in which we should proceed or the kind of example that we wish to set to others at this time. On the contrary, Members should consider the work of a Department and whether it best meets the needs of the people.

Dr Paisley said that Members should now be seeing detailed proposals rather than the vague information contained in the interim report from the First Minister (Designate) and the Deputy Minister (Designate). Like Dr Paisley, I too hope to see such detailed proposals very soon.

**Mr Close:** Mr Taylor expressed his thanks and those of his party to the First Minister (Designate) and the Deputy First Minister (Designate) for the wonderful way in which they represented the community over the traumatic month following the happenings in Omagh. I agree. The vast majority of people in the area which I represent were struck by the manner in which their togetherness represented the new beginning for

Northern Ireland, the coming together of its people, and it gave hope for the future. The way in which they performed their duties on our behalf must be commended by all Members.

Northern Ireland is entering a very exciting time. We are setting out on a path to provide a new form of government. In many respects its skeleton is represented by the Good Friday Agreement, a term which means a lot to me, for like Good Friday, this agreement offers hope to the people of Northern Ireland. The important thing about the agreement is that it has been accepted and democratically endorsed by the overwhelming majority of the people. The task that now confronts every Member is to set about putting some flesh on the skeleton of the Good Friday Agreement. It is a task which we should set about together. The importance of us striving together cannot be over-estimated because it is vital for the agreement's success.

Many issues divide us, but the one thing we have in common is our democratic mandate. That mandate is equally important to each of us, and we operate from that basis. The people of Northern Ireland are demanding a new start. They have made their voices absolutely clear. Our responsibility is to translate that demand into action.

It is essential that we take the opportunity provided by the agreement to have 10 Departments. I do not see that as a way of providing 'jobs for the boys' because no one from the Alliance party will have any of those potential jobs. The Alliance Party believes in equality, not quantity, of representation. Although we will not qualify under the d'Hondt procedure for these jobs for the boys, it will not prevent me from arguing the case as to why there should be the maximum of 10 Departments.

Anyone who has dealt with Government institutions in Northern Ireland over the years will recognise that the existing Departments are cumbersome, in many respects meaningless, and in all respects unaccountable to the people of Northern Ireland. We must make accountability our key priority, and this can be best achieved by removing the weighty bureaucracy that has held down the potential dynamism in Northern Ireland. Free the people from bureaucracy. Hand control back to democratically elected representatives, and let them get on with running up to 10 Departments.

I could give a few examples. I once heard the Department of the Environment referred to as the Department of eejits, but I will not comment on that. It is a Department which is bureaucratic in the extreme. A massive job needs to be done to break it down and bring it closer to the people. Let us start peeling away the layers of the onion and get to the core of



Government, represented through meaningful Departments.

I have spent the last quarter of a century of my life in local government in Northern Ireland. Our hands are tied at every turn. We cannot even change a light bulb without the say-so of a bureaucrat. Is that democracy? Do we not all want to join together in changing that? I believe the answer is yes. Is there not a strong case for allowing the dynamic that exists in local government to act on behalf of the people? Is there not the necessary dynamism there to create and operate a Department of local government, planning and housing?

One of the greatest potential growth areas in Northern Ireland is tourism. The way that tourism has been operated in Northern Ireland leaves a lot to be desired. Is this not another opportunity to develop that potential, to give that potential to the people and to make it a meaningful potential Department.

Sport has been referred to. There are numerous areas where we can have more effective and efficient Government. I take Mr Empey's point about cost. The answer is to remove the unnecessary burden of costs that are currently imposed through quangos, unnecessary boards and trusts and the layer upon layer of administration all of which are costing money. We have the opportunity to strip those away and to get back to meaningful democratic and accountable Government.

As stated in the report, there are complex and challenging issues confronting us in shaping the future. A small step has been taken in this interim report. Let us build on it. My plea is that we build on it together. It is only by working together through this House that we will bring about the necessary improvements to the lives of all the people.

**Mr Roche:** It is not entirely unkind to say to the First Minister (Designate) and the Deputy First Minister (Designate) that they got off to less than an impressive start. We were given this report, on which we were to give our views about five minutes before we came into this debate.

The reason for that delay is not suggested in the report but it is quite evident to the Members of my party. Last week we met the First Minister (Designate) and the Deputy First Minister (Designate), and they told us that there were two fundamental areas on which they could not agree. They could not agree on the substance of the remit that was given to them to determine the number of Ministries and the portfolio of each of the Ministries.

4.30 pm

Secondly, they could not agree on a matter that is even more fundamental than the core administrative

structures for Northern Ireland. That is, they could not agree on how to establish the democratic credentials of whatever form of government was to suit Northern Ireland within the Union. In other words, they could not agree on the issue of the decommissioning of paramilitary weapons. It is absolutely crucial to be clear about this issue and to keep the focus on it, yet many speeches today have tried to shift our focus away from what is absolutely crucial to establishing the structures of proper government in Northern Ireland.

The reason the First Minister (Designate) and the Deputy First Minister (Designate) could not agree on what would establish the democratic credibility of the structures of Government in Northern Ireland is that the Deputy First Minister (Designate) has an absolutely correct interpretation of the Belfast Agreement: it does not require anyone to decommission anything at any time. But the problem with the First Minister (Designate) is that he sold the agreement to the Unionist electorate on the basis of pledges given by the Prime Minister which are entirely outside its remit.

We have now reached the position where, in order to set up an Executive, a decision has to be made on the requirements that are to be made on the issue of the surrender of terrorist arsenals to a lawful authority. That is the fundamental divide between the First Minister (Designate) and the Deputy First Minister (Designate). Having got caught in that position, Mr Trimble has, in effect, agree to a substantive thrust in this document.

There are no substantive proposals in the document, but there is a substantive thrust, which is, of concern to parties on both sides of the House. It is that before there is an agreed Executive and, therefore, before there are any coherent policy proposals or any programmes of government for Northern Ireland, because of the requirement in the Belfast Agreement to meet the deadline of 31 October 1998, they are proposing to proceed to meet those requirements, not with a fully-formed Executive but simply by way of representation by the First Minister (Designate) and his deputy.

That is both contrary to the letter and to the spirit of the agreement and I find myself agreeing entirely, if I understood his position correctly, with the Sinn Féin Member's interpretation of the agreement. I hasten to say that I find myself in agreement only with Sinn Féin's perfectly correct interpretation of the agreement and not with its content, which was precisely the reason that our party rejected it.

Mr Trimble, now finds himself in a position of deadlock on the formation of the Executive and the core structures of government for Northern Ireland,



and he is trying to obscure that deadlock by moving to put into effect the all-Ireland dimension of the agreement. Therefore, he is acting contrary to the interest of his own constituency, both in terms of establishing the democratic credentials of the agreement and also in terms of securing the position of Northern Ireland within the Union. He is doing that because of the position that he adopted in relation to what was a primary matter in the referendum: whether the agreement actually required decommissioning.

The problem is how to move away from the thrust of these proposals, and we must do so by insisting that there can be no development of any all-Ireland dimension prior to establishing the proper basis of democratic and accountable Government in Northern Ireland.

**Mr McGrady:** As it is now probably inevitable that the Omagh bombing debate will be deferred to tomorrow morning, may I suggest that this debate be extended to 7.00 pm because it is important and one to which many Members may want to contribute?

**The Initial Presiding Officer:** It is my view, having canvassed the parties, that it would be improper to divide the Omagh debate. It would be discourteous and inappropriate. That being the case, we should not start that debate this evening if we are to give it its full three hours, as I believe we ought.

In that case we shall suspend the sitting rather than adjourn it and resume at 10.30 am tomorrow for a three hour time-limited debate. A number of speakers have indicated a wish to speak. If it is the wish of the Assembly we can simply continue and give those Members an opportunity to contribute to the debate.

**Mr Nesbitt:** I reiterate what Mr Taylor said in his opening remarks by commending both the First Minister (Designate) and Deputy First Minister (Designate) on how they spoke and acted over the summer. Their conduct was a beacon to those in Northern Ireland who wished to see a positive way forward being shown by the elected politicians working for their good.

We meet today with an almost once-in-a-lifetime opportunity to get the right Government for Northern Ireland. A once-only opportunity is certainly not to be rushed. One must not take an inordinate length of time, but we must take some time. I have not seen anyone in business or in any organisation determining structure before policy. To simply say we must have a particular number of Departments from which we determine policy is to approach the matter the wrong way. We need to consider the policy we wish to implement; after that will come the Departments. That is why the Ulster Unionist Party during the first stage, wants to keep to six or seven Departments. We are

working through paragraph 35 of the agreement, which covers transitional arrangements.

Many Members have spoken about a lack of speed and about what we could be doing more quickly. Devolution is coming to all regions of the United Kingdom. The previous Conservative Government wanted devolution in Northern Ireland but not for Scotland or Wales. At least this Labour Government seems to be more principled in their application of policy throughout the United Kingdom. But compare Northern Ireland with Scotland; whose referendum was last September. There was a constitutional convention comprising all opinion in Scotland as to how devolution should take place.

We had our referendum in May. Already we have had our election to the Assembly; we have our First Minister and Deputy First Minister in place, and we are beginning the process of formulating how this part of the United Kingdom is to be governed. All that was done against a backcloth of 30 years of violence, which makes it difficult to progress quickly on certain matters. The speed with which we have been acting, through the First Minister (Designate) and the Deputy First Minister (Designate) is to be commended.

Mention has been made of an island economy and the need, when working through all these arrangements, to work within one island. It is devoid of logic to say that one island must be one unit and one economy. Borders transcend land and water. The island of Borneo comprises three states; the island of Hawaii is part of the United States of America even though it is in the middle of the Pacific Ocean. This agreement builds upon reality, the reality of the British/Irish isles and North/South and East/West working in co-operation to the mutual benefit of all.

Mr Roche said it was

“crucial to focus on this point”.

He was talking about the democratic credentials. Then he told us

“We could not agree” —

that is the First and Deputy First Minister —

“on the issue of decommissioning.”

I agree that it is crucial to focus on this point. I have said this before, and I will say it again. We have been quite explicit about decommissioning. But the Leader of the United Kingdom Unionist Party, writing in the ‘Belfast Telegraph’ on 1 May 1998 stated at point five of his eight-point plan, which he had announced the previous night on a television programme, that there were two criteria for political parties to be treated as equals — especially those parties linked to paramilitary organisations. We know what “equal” means. One was a permanent renunciation of violence and the other was

a public dissociation from all forms of violence. Neither of those criteria mentions decommissioning as a prerequisite for being treated equally.

I stand by my interpretation of what he said. Before the United Kingdom Unionist Party questions the credentials of the Ulster Unionist Party on decommissioning, it should put its own house in order.

Money will be an important element in the workings of this Government. Until now money has been allocated to the rest of the United Kingdom as a transfer within Government, within the block grant. We will now have what is known as a territorial transfer.

4.45 pm

Money will be allocated to Scotland and Wales, and it will now be seen how good, whether we like it or not, per capita, funding has been for Northern Ireland. Some will question why we receive so much and why we have facilities that they do not possess.

The Lord Mayor of London, speaking on behalf of the people of London, will be quick to point out that they are net contributors — they give more in revenue than they gain in spending. These questions will be asked, and therefore it is all the more incumbent on us to be prudent in our spending and not to rush a decision on structures. We must get our policy right and be sure where the money will be spent.

I conclude on a point of optimism. A young man who lives near me never spoke to me about politics until last week when he asked me how things were going. I told him I was hopeful. He said

“You must, all of you, make that work.”

That young man’s father was a member of the security forces and he was murdered by the IRA. I took his words to heart. We must make this work and, therefore, I commend what the First Minister (Designate) and the Deputy First Minister (Designate) have initiated through this document.

**Mr Durkan:** It is important in dealing with the issues in the report and the various suggestions that have been made during the debate, to bear in mind some realities. There are the realities of the agreement as well as financial realities and the structural requirements that we will need as an Assembly and, more broadly, as a community for the new dispensation.

Mr Nesbitt referred to paragraph 35 of the agreement. As he said, it refers to the transitional arrangements. It was envisaged that in the transitional period Members serving as shadow Ministers would affirm a “shadow” pledge of office. The whole concept of the “shadow” pledge emerged in the negotiations because there was a requirement for people, on taking office, to make some pledge to the Assembly about the

sort of commitments that they were prepared to undertake.

Various parties had suspicions about how shadow office might be exploited in the absence of a pledge, and that is why it came about. It was envisaged that Departments and shadow Ministers in those Departments would be identified during the transitional period. It is important that slips of memory about this are not allowed to upset the thrust of the agreement itself.

A case has been made for delaying the submission of proposals on the number and on the specific remits of Departments. I accept that there is a need to take care in how we constitute particular Departments. My colleague Mr McGrady said earlier that we have to be radical and, at the same time, practical. We have no wish to be reckless about finance when considering the constitution of new Departments. The Assembly will operate within fixed limits anyway, notwithstanding the Chancellor’s so-called “new money”.

We put forward proposals during our meeting with the First Minister (Designate) and the Deputy First Minister (Designate) for 10 Departments, which would be assigned to 10 Ministers other than the First Minister and his deputy. We did so not in terms of “noses in troughs”, or anything else that has been suggested, but on the basis of what we saw as public-service requirements. We believe that a strong case can be made for these 10 Departments, and that is why we have suggested them.

The departmental structure should be looked at on its own merits, divorced from the speculation about parties and personalities, because in designing departmental structures we are asking public servants to work in those Departments on the basis of their public-service roles and not on the basis of which Minister may or may not be assigned to them.

In designing departmental structures we are designing structures that are meant to serve the community in its entirety, to meet its diverse social, economic, cultural and environmental needs and therefore, we should take care not to allow the difficulties and differences that exist about the precise formation of an Executive to get in the way.

We should get on with the task of looking at those Departments now. This is our chance to offer people the first democratic dividend from the agreement. Let us do that. Let us not reduce it to a bunfight or trivialise it as some sort of party political cargo. In that context our plan for 10 Departments would stand scrutiny. These Departments would be worthwhile for any Minister and worthwhile for Members in terms of our opportunity to serve on departmental Committees.

One of the points that came up again and again in the talks about how the Assembly might conduct its business was whether we needed Ministers as such, or whether things might be done more generally by Committees. Those who favoured the Committee model wanted to make sure that Members of the Assembly other than Ministers would have a real and meaningful role. That means real and meaningful Departments. If some Ministers were in charge of Departments and some were not, that would create a premier league of Ministers, which would cause difficulties for the Civil Service at administrative level. It would also lead to problems in the Assembly in terms of opportunities for Committee participation by Members.

Obviously we will still need a Department of Finance, but our proposals envisage the personnel side of the current Department of Finance and Personnel being hived off into an office of public service, or office of public administration, resting with the First and Deputy First Ministers. The Department of Agriculture, as it stands, obviously covers important areas which can hardly be broken up. Our proposal is for a Department of Agriculture and Natural Resources taking in fisheries and forestry as before, and probably also minerals from the Department of the Environment as well.

We suggest a Department for Infrastructure, taking the Roads and Water Services from the Department of the Environment; ports and airports would go into the Department for Infrastructure as well. The energy grid would come from the Department of Economic Development into the Department for Infrastructure along with public transport and communications. That Department would be coherent in terms of the infrastructural demands that we face, and in terms of the important, albeit diminishing, role that the European structural funds can play. This Department would have strong economic significance.

We would then envisage an element of the Department of Economic Development as currently constituted being a Department covering enterprise, trade and investment, industry and commerce, commercial regulation, consumer affairs, et cetera.

We also suggest a Department which would be styled something like "Employment and Applied Learning" or "Employment and Human Resources Development", and we see that as taking in not just employment law, employment practice and labour relations, which currently come under the Department of Economic Development, but also the Training and Employment Agency and further and higher education from the Department of Education.

This Department would be responsible, essentially, for everybody over school-leaving age. If anyone queried the performance of the Assembly in employment, training, or education opportunity terms,

we would have one clear reference base from which to see how well we are performing.

The Social, Democratic and Labour Party envisaged a Department of Social Support and Development, taking housing from the Department of the Environment and the Social Security Agency from the Department of Health and Social Services and combining them along with those community development and regeneration arms that have developed within the Department of the Environment. That Department can play not the sole role in terms of targeting social need, but an important role in helping to achieve that.

Over two decades, there has been talk about estate-based strategies being the way to deal with areas in need. The absence of coherent structures is one of the things that has frustrated this actually taking place. We have an opportunity to bear these sorts of requirements in mind when designing Departments.

A Department of Health and Community Care obviously would remain. We envisage a Department of Education which would concentrate essentially on pre-school, primary and secondary education as well as on services and broader, child-development issues. Perhaps that Department of Education could crack some of the outstanding difficult issues that so far we have not been able to crack such as our very deficient performance in the pre-school area and the question of selection, which many people at the negotiations will remember was the subject of a very animated discussion one particular day.

I welcome what other people have said about sport. We would propose to take that out of the Department of Education, along with culture, the arts and languages, and we put them, as Mr Neeson hinted earlier, with tourism. We think those areas complement each other in promotional and performance terms and not just in terms of bringing tourists in but also in terms of encouraging good services for visitors and interesting activities among the local population.

**The Initial Presiding Officer:** I wonder if you could draw your remarks to a close.

**Mr Durkan:** Yes, Mr Initial Presiding Officer.

The final one we envisage — these are not absolutes or demands but simply proposals to show that a good case can be made for 10 Departments — is in the area of the environment, a Department to take in planning, waste management, environmental protection and public safety. We see the Department of the Environment and Public Safety taking in the Fire Service and the other rescue services as well, because there is a watch-dog role in both of those areas to see how the different Departments are performing in environmental and safety terms.



We are quite open to different proposals and arguments, and have put forward certain proposals for functions that do have to rest with the First Minister (Designate) the Deputy First Minister (Designate), if they are to perform their overall responsibility for co-ordination to ensure good Government.

If we can set about creating such Departments and have Committees working along these lines, we can streamline all the litany of quangos which form the intermediary structures and sub-structures. This can best be done when we actually know what the Departments and the structures are.

I refute any suggestion that we have to create policy first and then structures. We negotiated an agreement that said that we were to appoint an Executive Committee which would, as its first task, produce a programme for government. It is clear from the agreement that the structures were to be in place before the policy.

**Mr Dodds:** Mr Nesbitt has said that the speed at which the First Minister (Designate) and the Deputy First Minister (Designate) have proceeded was to be commended. Many of us here were astounded at that comment.

This report is devoid of any real substance. It refers to meetings that began only last week — some months after the Assembly was elected. How he can make such a statement staggers me. But then nothing that Mr Nesbitt says surprises me — he manages to make an argument out of virtually no building blocks.

*5.00 pm*

I listened with interest to Mr Durkan outlining in some detail the arguments for various Departments and what functions they should have — indeed some cases may have great merit. Others have said why there should be 10 Departments. As my colleague Mr P Robinson has said, that may well be the correct position in due course. However, at this time, none of us can argue definitively on that.

I was interested to compare the views of the Deputy First Minister (Designate) which were published in yesterday's 'Sunday Tribune'. I presume that he was talking about the Social Democratic and Labour Party and not for Mr Trimble. He said

"We argue for the creation of a larger rather than a smaller number of departments, because this will facilitate the inclusion of parties in government."

There is nothing there about what is in the best interest of the government of Northern Ireland or about having Departments cater to the needs of Northern Ireland in delivering services. It is purely designed to ensure that it will facilitate the inclusion of parties in Government. He went on to deal with what each

Department should deal with in terms of "real significance and substance".

When Members of the Social Democratic and Labour Party and other parties speak, they should be aware that the Deputy First Minister (Designate) is taking a line which is based upon ensuring that the number of Departments is decided for political reasons and that parties are represented. The primary reason is not, it seems, what is in the best interests of the people of Northern Ireland. I hope that the Deputy First Minister (Designate) will respond to that. I regret the fact that both the First Minister (Designate) and his Deputy spoke at the start of this debate rather than having one of them deliver a winding-up speech to respond to some of these comments, as is normal practice in most debating Chambers of this nature.

The First Minister (Designate) spoke with enthusiasm of the real steps that were to be taken to ensure the North/South Council of Ministers would be up and running by the end of September so that real substantive decisions would be taken. There was a degree of urgency, he said, about all of this, yet when it comes to setting out the basics for the government of Northern Ireland, the report says absolutely nothing about Departments or about how we should administer Northern Ireland. The priorities are completely wrong.

The First Minister (Designate) said that the agreement could not work unless all of it is made to work. The problem for many Unionists, and for many people in Northern Ireland, is that they see certain parts of this agreement working overtime and other parts not working at all. People see prisoners being released despite the pledges by Mr Blair and Mr Trimble that people would not be released from prison unless violence was shown to be over permanently and forever. That clearly has not been the case. On the celebrated day on which the media made much of a statement issued by IRA/Sinn Fein, Mr Adams said

"Sinn Fein is committed to exclusively peaceful and democratic means to achieve a way forward.

Sinn Fein believe the violence we have seen must be for all of us now a thing of the past, over, done with and gone."

On the day that that statement was issued a report in the 'Belfast Telegraph' in relation to the Real IRA and the attitude of the Provisional IRA towards that organisation stated

"In the space of 90 minutes, in an operation that hinted at the degree of organisation that the Provisional IRA is still capable of, each of the key dissidents heard the same rap at the door.

On doorsteps across Ireland they found pairs of men they would have once called comrades clutching the same piece of paper. They carried the same message: the Provisional IRA's Army Council declared the Real



IRA had no right to exist and had misappropriated weapons – a hanging offence for republicans.

They were told that “action will be taken” if they did not make amends. Some of the messengers felt the need to spell this out: if they did not do the needful, the Real IRA’s leadership would be shot.”

The same day these weasel words were being issued for the benefit of the world’s press in Belfast for the Clinton visit. Of course, it was carefully worded, once again expressing an aspiration, a hope — not a commitment — on the part of the Sinn Féin that the violence was over, a thing of the past. Such a commitment could easily have been given, but different words were used to ensure that they did not say that the war was over once and for all.

While this agreement is delivering concessions to IRA/Sinn Féin in terms of the release of prisoners and the increasing demands and pressure for Sinn Féin to be admitted into the Government of Northern Ireland, we have yet to see any deliverance by them, in real terms, of what is expected of them in terms of decommissioning.

Of course, as has been pointed out absolutely correctly by my Colleague, Mr Robinson (the Member for East Belfast), Mr McCartney (the Member for North Down) and others, there is no requirement in this agreement for any actual handing over of weaponry by the IRA before Sinn Féin can take up seats in the Government.

**Mr Foster:** In light of what has been said, why are the Democratic Unionist Party and the United Kingdom Unionist Party giving incorrect justification for no decommissioning of weapons, giving support to the IRA today?

**Mr Dodds:** Mr Foster should join Mr Nesbitt in the realms of fantasy land. The reality is that the DUP has been absolutely clear and consistent on decommissioning. Mr Foster’s party said that there would have to be decommissioning before talks could begin. Then it said that there would have to be decommissioning by the IRA in parallel with the talks. Then it said it would have to be over by the time the talks finished. We were later told that there would be decommissioning before IRA/Sinn Féin went into the Government or before they would sit down one-to-one with Mr Adams.

All those conditions have disappeared, and the preparations have been laid for them to sit in the Government with IRA without decommissioning. That is the real issue. Many Members have talked around it, talked about other issues, all of them important in their own right, but the most important issue is that of decommissioning and whether IRA/Sinn Féin are to be

admitted into the Government of Northern Ireland while still armed to the teeth.

Mr Flanagan, the Chief Constable of the RUC, has made it very clear that while troop levels have been reduced and military patrols have been withdrawn in Belfast, such paramilitary organisations are still intact and have access to arms and ammunition. They continue to pose a grave threat to peace, and they are still capable of carrying out atrocities such as the Omagh bombing. Yet we are contemplating allowing these people soon to sit in the Government of Northern Ireland while we have the sort of activity being carried out by the military wing of Sinn Féin, as outlined earlier, on the same day as they were issuing their statements about a commitment to peace and exclusively democratic means.

There are many important issues to do with democracy and accountability, and we in this party have always been to the forefront in championing all of our people and advocating proper democratic and accountable government in Northern Ireland.

But it is not in the interests of the people of Northern Ireland to be faced with the prospect of having Ministers in charge of Departments while they are sitting on 100 tonnes of Semtex, with ammunition and a paramilitary machine behind them. That is the sort of issue that we need to face. The First Minister (Designate) needs to come clean on that issue and not continue to waffle on it and try to play for time. He needs to spell out the position very clearly. At least the Deputy First Minister had the decency to make it very clear that he took a different position from the First Minister.

Let us have clarity from the First Minister. Let him state very clearly that in no circumstances will IRA/Sinn Féin get into Government unless substantial and meaningful decommissioning has taken place, and their paramilitary organisations have been dismantled.

**Mr McGuinness:** Go raibh maith agat a Chathaoirleach.

I begin by offering my condolences and those of Sinn Féin to the relatives of the five people who were killed today in a road accident in the south-east of our country, I think it was County Wexford. I am told that a lorry with a northern registration was also involved. I am sure everybody will share that sentiment.

I support the comments by the First Minister (Designate) and the Deputy First Minister (Designate) in relation to the events of this summer, and the very great tragedies which occurred in Ballymoney and in Omagh. It was a very traumatic summer for all of us.

Of all the Members of the House, the one affected most directly was Mr Gibson. We should show him special consideration today. We all have very different

political views, but everyone in Ireland who has been involved in this process of conflict resolution over the last four or five years was very struck and very hurt by what happened in Omagh, and aware of the implications that that undoubtedly had for all of us involved in this process.

Mr Nesbitt's comments about the young person from his area who implored him to press on with the implementation of the agreement were similar to the response of the people of Omagh. I have been in Omagh on a number of occasions, and everyone I met — and they were not all Nationalists or Republicans; there were Unionists also — implored us to do our level best to ensure that the people who were out to destroy the search for peace, justice and equality in this country would not succeed.

I had my own first-hand experience of how hurt people are. Republicans have acknowledged that we have inflicted hurt; but hurt has also been inflicted on us. We are not just talking about the decommissioning of guns, we are talking about the decommissioning of all the injustice, inequality, discrimination and domination of the past.

I was in a building in Omagh on the day of the last funerals. I think it was Mrs Rushe who was being buried. As I left the building, a number of people wanted to shake hands with me. I offered my hand to one young woman who could not bring herself to shake hands with me and turned away. I accepted that and left the building. As I walked down the street, I heard a voice behind me calling my name. I turned round and it was the young woman. I went back to her and she said "I am sorry for turning away. I am a Unionist and I am hurting.", and she started to cry. I said that we were all hurting but that we were doing our best, and she said "I know you are doing your best."

Last week the First Minister (Designate) did not turn away. Considering his background, it was very courageous for him to meet the Leader of Sinn Féin, Mr Adams. In that meeting, they held out hope and expectation for all of those people who have been watching this process over the last four or five years. In fact, in the aftermath of the terrible summer, and following the meeting between Mr Trimble and Mr Adams, there is more support for the peace process now than there has ever been. People are urging us to do the right thing, to talk to one another, to engage in dialogue and to implement the agreement.

5.15 pm

The agreement is about much more than this Assembly. It is about how we end division on this island; it is about the establishment of an Executive Committee; it is about the establishment of a North/South Ministerial Council; it is about the

establishment of the implementation bodies; and it is about how we deal with the very important issues of justice and equality on this island. Sinn Féin represents a community which believes — and I know many people here within the most extreme elements of Unionism find this hard to accept — that since Ireland was partitioned they have been persecuted, dominated and treated unfairly in this state. That is the reality that Members have to deal with and that has given rise to conflict on this island over the past 70 years or so.

Members must work to bring about the implementation of the agreement and show, as we build that agreement in all its different stages, that we can get to grips with all that has been wrong in this state since Ireland was partitioned. I accept absolutely what Mr Hutchinson has said, that a great wrong was also inflicted on the Protestant working class, many of whom were also treated as second-class citizens.

There is a commonality of interest because there are still working-class people in the Shankill Road, in Mid-Ulster, in the Bogside and in West Belfast. The working-class are the strongest supporters of the peace process and these people are telling the Members to cut out the nonsense.

We know what is in the Good Friday Agreement. It is very clear. Sinn Féin discussed the issue of decommissioning with the British and Irish Governments in the run-in to the agreement and they took a very sensible view as to how the Assembly should deal with this particular issue. The Governments recognised, as de Klerk recognised in South Africa, that the issue of decommissioning should not be allowed to hold up the peace process. This is the approach that is catered for in the agreement document.

It does not say anywhere in the agreement that Sinn Féin cannot enter the Executive Committee unless there is decommissioning. But the object of the exercise, as far as Sinn Féin is concerned, is to decommission the injustices and inequalities of the past and to decommission all the British and Irish guns.

**Mr Birnie:** Mr McGuinness speaks about decommissioning and the South African precedent. Does he agree that South Africa now has the highest statistical murder rate in the world? Does that not demonstrate that leaving substantial stockpiles of weaponry in a divided society is a recipe for disaster?

**Mr McGuinness:** I accept that there are very great problems and difficulties in South Africa. I have not said that both situations are exactly the same. There is a lot of crime in South Africa, many guns and much criminality — there is no question or doubt about that. But de Klerk, who was acknowledged along with Nelson Mandela as one of the main architects of the peace process in South Africa, said that if he had

insisted on decommissioning of weapons by the African National Congress, they would not have had the peace process. This process has now provided South Africa with the launching pad for dealing with political, social and economic issues and issues of criminality.

The Ulster Unionist Party is dealing with this issue in a very sensible way. Some parties do not want to face the process of conflict resolution; they do not want to face the reality that the best way to take British and Irish guns out of Irish politics is to remove all of the causes of injustice. This is what peace processes are all about. The question then becomes whether the Assembly believes that Sinn Féin is genuine. The Democratic Unionist Party will never accept Sinn Féin as being for real — I wish they would. I want to be friends with them. Some people within Ulster Unionism are dealing with this particular issue in a very sensible way.

We must press on with the implementation of the agreement. We have been informed that there will be a North/South Ministerial Council meeting before the end of this month, or possibly at the beginning of October. The big question for us has to be who will represent the Assembly on that Council. If the Assembly is represented by Mr David Trimble and Mr Seamus Mallon, it will not be properly represented. The agreement states, under the heading “Executive Authority”, that that is to be discharged on behalf of the Assembly by a First Minister and Deputy First Minister and up to 10 Ministers with departmental responsibilities. That is what we have to implement; we have to show people that we intend to deal with all the different aspects of life on this island that directly affect them.

The people of Mid Ulster are waiting with trepidation to hear an announcement from the Northern Health and Social Services Board on Thursday 17 September 1998 about whether the Mid Ulster Hospital is to be run down or closed. I recently attended meetings with the Department of Education about the prospect of the closure of schools in Mid Ulster, and I am sure that every constituency represented here shares these problems and difficulties. That is the argument for appointing Ministers as quickly as possible — and Mr Durkan is absolutely correct. The structures and Ministers should be put in place, and those Ministers should rise to the occasion and fulfil their responsibilities under the agreement by moving forward decisively and giving the type of leadership that all of our people crave for.

**Mr Farren:** In complimenting the First Minister (Designate) and the Deputy First Minister (Designate) on their report, I would like to express to them the appreciation of the people of the North Antrim constituency for their concern and compassion

following the terrible tragedy when the young Quinn brothers were so cruelly murdered. Their support and concern, particularly for the people of Ballymoney where the Quinn family lived, has been deeply appreciated.

I want to focus on one aspect of the report, the North/South Council. I look forward to the establishment of that council, not least because I have my origins in the South. I look forward to a council which will work to ensure stronger links between both parts of the island in particular, of course, for people of the Nationalist tradition. The council will represent, in a particularly symbolic way, their relationships and their affiliation with the rest of the people on the island. It will also represent and embody relationships which stretch right across our communities here in the North with all of the people in the South.

Those of us who participated in the transition programme last week will recall the very open acknowledgement made by some of the Southern contributors. For too long the South had all but ignored relationships and forms of co-operation with the North, apart from particular initiatives like the Erne Hydro Electric Scheme, the Foyle Fisheries, and the management of the Belfast/Dublin Railway. But since the Anglo-Irish Agreement in 1985 a very significant transformation has taken place with respect to co-operation between both parts of the island.

Since then, many initiatives have taken place over the years, some with European Union and International Fund for Ireland support, and these initiatives have ranged across virtually all social, economic and cultural domains. As we prepare for a new era of co-operation, it is appropriate to pay tribute to those behind these initiatives, those who have funded them and who have put the structures in place to help them operate. As a result, communities and enterprises in the public and private sectors, from both parts of the island, have benefited from the co-operation and pioneering work that has been taking place.

The establishment of the council will mean that future co-operation will be directed and enhanced, and much of it will be implemented within a political framework. This will bring a new openness, transparency and accountability to these initiatives and that will ensure the maximum benefit from resources and the potential of people in both parts of the island.

In identifying the areas of council responsibility, the Social Democratic and Labour Party believes that there are two fundamental requirements to be recognised: first, the overall social, economic and cultural context; secondly, the potential for ongoing development. Simply selecting areas at random, or because of minimal cost and ease of operation, without regard to the wider context or to existing forms of co-operation or



to the possibilities for growth would be mere window dressing. Identifying key areas for the council's initial remit must begin with existing forms of co-operation. In agriculture, these range across matters such as food safety, animal and plant health, stock breeding and wildlife management and protection to close contacts and joint initiatives under European Union programmes.

**Dr Hendron:** With regard to implementation bodies, and in particular on the subject of health, some Members may be aware that Northern Ireland's top cancer surgeon, Mr Roy Spence, and the professor of oncology at Queen's University, Prof Patrick Johnston, made a joint proposal some weeks before the Good Friday Agreement. The proposal was on co-operation on cancer between the authorities in the North of Ireland and those in the Republic. Next to cardiovascular disease, there are more people dying from cancer on this island than from any other condition. From their viewpoint there is no reason, when millions of pounds are spent on cancer research, why there could not be co-operation in that field under an implementation body operating North and South.

**Mr Farren:** With respect to all other areas for potential co-operation listed in the Good Friday Agreement, we have to look beyond the simple words that set them out and identify the existing forms of co-operation and the potential for development that lies therein. There are many possibilities, with respect to overall strategic planning, in connection with each of the 12. We have a requirement, as set out in the Good Friday Agreement, to identify those that would have particular implementation bodies associated with them. We believe that it is only by looking at what is currently taking place, and recognising the potential for development contained within those existing forms of co-operation, that the most effective implementation bodies to be established will be identified.

5.30 pm

Ultimately, while all the initiatives and forms of co-operation promoted by the council will be intended to bring practical benefits to people and communities in both parts of Ireland, the real test of their efficacy will be the extent to which they promote closer bonds between our people and their communities. Those bonds will reflect deeper levels of mutual understanding, respect and reconciliation between Irish men and Irish women of all traditions.

The Social Democratic and Labour Party recognises and has taken note of the concern that has been expressed about progress towards the establishment of the North/South Council. We want to see all of the steps which must be taken in the Assembly taken without delay, particularly the establishment of its Executive.

In the agreement itself there is provision for the First Minister (Designate) and Deputy First Minister (Designate) to advance and to co-ordinate responses from this Assembly with external bodies such as the North/South Council. We welcome the steps that they are already taking, as outlined in the report, and I hope that the Assembly will soon be in a position to ensure that an inaugural meeting of the Executive can go ahead. In this way we can initiate all the forms of co-operation and implementation bodies as foreseen in the Good Friday Agreement.

**Mr Paisley Jnr:** When we come to this time of the year we are reminded of a new term; a fresh start; a new beginning. Some of us are parents who may have left our children to school, possibly for the first time. This year there is an expectation that there will be progress, that there will be a report. Certainly this Assembly has had an expectation over the last 12 weeks that there would be a report. We are told that we have got a report, but it is a very skimpy one. Indeed, if the report was to describe the progress of one of our offspring we would probably say "Could do better." In fact, we could say it was a failed report.

There has been much progress over the summer in other areas. For instance, progress was made on this Chamber and many Members have referred to our beautiful and elaborate surroundings. They have commended the workmen, people who were once the targets of individuals in this Assembly because they worked on Her Majesty's buildings. We congratulate those workmen on their efforts.

Of course, there has been much more. In my constituency little children have been burnt to death because of violence and terrorism. Oh yes, the terrorists have been very busy over the last 12 weeks. I am glad to see that in the case of the Quinn murders, the police seem to have made some progress. Sub judice prevents me from saying anything further on that.

It is sad that the security forces do not appear to have made the same progress in capturing the people who were involved in the other violence that I mentioned. I think that we will see a very familiar pattern just as we did after the Enniskillen bomb. All the flurry, the excitement dies away. It is buried and forgotten, and nobody is caught, convicted and put into jail. Even if they were put into jail, would they stay there for very long? The people who support this agreement believe in a principle that politics means there can be expediency when it comes to convictions that people can get out of jail early, no matter what the heinous crime.

In terms of the interim report, the Assembly tasked the First and Deputy First Ministers (Designate) to construct basic structures and to prepare for the establishment of the British/Irish Council and so on, but they have failed to produce anything of substance.



There has been some progress in other areas. There have been jobs for the boys and promises that certain people can expect certain posts. There is the expectation that certain schools in certain areas might get some more money because certain individuals are now well-placed in this Assembly. Certain hospitals might gain because they happen to be in certain individuals' constituencies.

We have heard all the promises, and we can read between the lines. The general public can see for themselves that the new faces, the new functionaries, the new policies will probably create a Northern Ireland which, far from being at ease with itself, will continue to have that tension, concern and unease that has been generated by terrorism for the past 30 years.

I listened with some interest to Mr Nesbitt's comments. In a Jimmy Carter-style address he said that he had spoken to a young person who had told him many things, and that he, Mr Nesbitt, now intends to use that talk as empirical evidence to move forward his policies. Mr Nesbitt said that he commends the report. This skimpy report, which Mr Nesbitt commends to this House, is incomplete. It does not contain proposals, so Mr Nesbitt is commending nothing.

When my party's delegation met the First and Deputy First Ministers (Designate) we spent some time talking about the detailed outline proposal which had been placed before all the parties. As we went through that proposal, the two Ministers decided to move away from the contents of that document. They told us their ideas for a form of local government, for the reform of the Civil Service and even for tax-raising powers. It seems that these people have been given a task, and they are not prepared to get on and do it. They are looking at a whole lot of other tasks instead, but they should concentrate on the matter at hand. They have been given power and they do not know what to do with it.

I do not believe that what is in this skimpy report nor that the agreement that is the basis for it will lead to good government for Northern Ireland. It will lead to bad government. The Sinn Féin/IRA Member Mr McGuinness said that because of the stance taken by the leader of the Ulster Unionist Party, there is more support than ever for the agreement. There may be more support within the Republican movement, within Nationalism, but there is declining support for the agreement within the Unionist community. That is not just my view, it is the view of the Ulster Unionist Party.

The minutes of a meeting held in this building on 6 August show that Mr Nesbitt said to Mr Ingram

"I am livid with Her Majesty's Government – Sinn Féin must be told that the process will move on without them – we have nothing left to give."

He did not say that to Sinn Féin today. There will be another broken promise because in a matter of weeks Mr Trimble will give Sinn Féin places in the Government of Northern Ireland.

A Member from my constituency has claimed that the Unionist vote is wavering and that there is a real risk of civil war. He said that the Unionists need something to keep some faith with the electorate. We also have Mr Empey's earlier quotation.

The First Minister and Deputy First Ministers (Designate) ought to confirm that there are great divisions between them. They are partners in government who cannot agree on the fundamentals of decommissioning, on when and how it should take place, or on who should have executive powers in the proposed Government of Northern Ireland.

Things are not good for the Union or for this country because of the agreement and the political landscape ahead of us. Many people are talking about peace. No one craves that more than my generation. Peace, however, is not solely about the absence of conflict, which we do not yet have. It is about the presence of justice, honesty, integrity and democracy.

The process that is now being established, that is rolling forward and being given a fair wind by Ulster Unionists, who ought to know better, is leading us not towards greater peace, but towards an acceptable level of peace. We had acceptable levels of violence in the past, but they were unacceptable. Now we are to have an acceptable level of peace, but that will not be real peace.

**Mrs Nelis:** The cover of the agreement states

"This agreement is about your future. Please read it carefully."

When I listened to some of the comments today I wondered whether some Members had read it at all. On the cover it also states

"It's Your Decision".

Of course it is our decision. The decision is about our future and it is our awesome responsibility to decide the future of the people of this entire island. The Assembly is the outworking of the agreement.

Someone earlier referred to "solid democracy". We have never had democracy in this country, let alone solid democracy. But now we may be able to achieve the democracy that the people who voted for this agreement want. We are charged, by the agreement, to create a society that is inclusive, consultative and democratic.

I want to address that part of the interim report from the First Minister (Designate) and the Deputy First

Minister (Designate) which deals with the Civic Forum. Paragraph 4.15 states

“Substantive discussion on the consultative Civic Forum was also limited.”

I thought that the Civic Forum would be given the same priority as all the other issues in the report, and I am disappointed that it has not been, but then the report is not substantive.

5.45 pm

A consultative Civic Forum will be of great value in assisting the Assembly discharge its responsibilities under the agreement. If properly constituted, it will be the opposite of the undemocratic quangos which we have already heard so much about, and which were the brainchild of the former Tory Government. Their members were appointed by Tory Ministers and, on the whole, represented the well-heeled tradition. The Civic Forum has the capacity, for the first time, to include civic society in a truly transparent manner and to influence the Assembly's deliberations for the benefit of all the people of this island.

Those in the Chamber who are arrogant enough to think that, because they have been elected, they do not need to listen continually to the people or to be open to the suggestions of such a Forum, are not fit for governance, and they certainly are not, and should not be, part of any democracy. I suggest that the First Minister (Designate) and the Deputy First Minister (Designate) consider in a very proactive manner how to put in place a Civic Forum that will include the voluntary community, the business sector, the trade union sector and the young people that Mr Nesbitt spoke of. That is vital.

I support Prof McWilliams and my colleague Mrs de Brún on the issue of the North/South Council. It has not been dealt with in this report; it has been fudged. We need to know how it will be constituted and when it will meet.

I say to Mr Taylor that it is not surprising that the North of Ireland did well in the Commonwealth Games in the shooting events when there are 133,000 legally held guns here, most of which are at the disposal of his community. When we speak of decommissioning in terms of the agreement, we should have the objective of creating a society where all guns are removed, a society that reflects inclusion, equality and democracy.

**Ms Rodgers:** I have very little time, so I will speak very briefly about the Civic Forum. It will add a very important dimension to the fledgling democracy and new dispensation that we are about to enter.

The Forum is a welcome development which will establish a truly inclusive democracy and will provide

an interface between the public and the decision makers. The expertise which the various sectoral interests can offer — *[Interruption]*

When women begin to speak some gentlemen in the Chamber feel free to begin a free-for-all.

As decision-makers, we face difficult challenges and choices, and will have to face conflicting interests. The insights that the various sectoral interests can give us will be very important and helpful to us in reaching informed decisions.

The point that I want to make very clearly — and Mr Taylor referred to this earlier — is that the Confederation of British Industry is not necessarily representative of all business interests. Other organisations have traditionally represented the various interests in Northern Ireland. They are not any longer necessarily truly or totally representative of those interests, and we should be aware of that when we look at the areas that have been mentioned in the agreement, such as business, the trade unions and the voluntary sector.

We should recognise that when these organisations come together in the various fora, there is often a great imbalance and the sectors that are often left out most particularly consist of women, who represent more than 50% of this society but are under-represented in most of these fora. We need to address that.

There is also a need to address the lack of representation of the most vulnerable sectors of our society — the elderly, the disabled, the unemployed and, of course, as Mrs Nelis mentioned, young people. It is important for all those people to be involved in the Civic Forum, and mechanisms must be found to involve them.

The challenge before us is daunting, but in an accountable democracy a fully inclusive and representative Civic Forum will ensure that we come to our difficult decisions in an informed manner and with an awareness of the needs and the views of all sections of this society, because none of us has a monopoly of knowledge and all of us can do with a little extra help.

**The Initial Presiding Officer:** May I express my appreciation to Members. In this very long debate there were many who wished to speak. Not all could, but I have tried to keep a degree of proportionality and at the same time give all parties an opportunity to put forward their views. We are all learning in this process, and I am grateful to those who have been helpful and accommodating.

The First Minister (Designate) and Deputy First Minister (Designate) have waived their right to reply at this stage.

Monday 14 September 1998

Report of First Minister (Designate) and Deputy

*Question put and agreed to.*

*Resolved:*

That this Assembly takes note of the report prepared by the First Minister (Designate) and the Deputy First Minister (Designate) and

grants leave for the preparation and presentation of such further reports by the two Ministers as are considered necessary.

*The sitting was suspended at 5.55 pm.*





# THE NEW NORTHERN IRELAND ASSEMBLY

**Tuesday 15 September 1998**

*The sitting begun on Monday 14 September 1998  
was resumed at 10.30 am.*

## ASSEMBLY CHAMBER (SOUND SYSTEM)

**The Initial Presiding Officer:** At the end of yesterday's proceedings Mrs Robinson, very helpfully, drew to my attention some problems with the sound amplification in the Strangers' and Press Galleries and in some parts of the Chamber proper. I have had this matter investigated and it may be that we will need to improve the speaker capacity in the Galleries. As our staff become more familiar with balancing the amplification system, we may be able to overcome some of the other difficulties ourselves.

As far as the Chamber itself is concerned, may I draw the attention of those on the Back Benches to the small recessed speakers, in the carved rail at the top of the Back Benches. For those at the desks, please note the recessed speakers there. Yesterday, some of the staff noticed that Members' notes were obstructing the desk speakers, and that is why there was difficulty hearing from them. That also reduced the amount of amplification in the Chamber as a whole. Our staff will try to improve the balancing, but if Members are unable to hear clearly, they should check that their papers are not obstructing the speakers and then incline their ears towards them — either on the Back Benches or at the desks. I hope we can overcome this problem.

I am grateful to Mrs Robinson for drawing this matter to my attention. If there are any other teething troubles either inside or outside the Chamber, I would be very grateful if Members would draw them to my attention as well.

*Motion made:*

That this Assembly do now adjourn to a date and place to be determined by the Secretary of State. — [The Initial Presiding Officer]

## OMAGH BOMBING

**The Initial Presiding Officer:** With the agreement of the party Whips, it has been decided that this debate should last for three hours. Speeches will, of course, be limited to 10 minutes. As I have a very long list of Members who wish to speak, it would be helpful if the speeches were kept as short as is reasonably practicable.

**Mr Hussey:** To echo the words of one of those injured by the Omagh bomb, let me say "The devil visited Omagh."

On Saturday 15 August at 3.10 pm the deadliest tragedy ever witnessed in our long 30 years of conflict was inflicted upon the innocents in Omagh's Market Street. I ask that the names of the dead be inserted in Hansard.

[Following are the names: Brenda Mary Logue (17 years) (Omagh), Gareth Conway (18 years) (Carrickmore), Mary Grimes (65 years) (Beragh), Avril Monaghan (30 years) (Augher), Maria Teresa Monaghan (18 months), (Augher), Alan Radford (16 years) (Omagh), Lorraine Ann Wilson (15 years) (Omagh), Elizabeth Amelda Rush (57 years) (Omagh), Anne McCombe (49 years) (Omagh), Rocio Abad Ramos (23 years) (Madrid), Fernando Blasco Baselga (12 years) (Madrid), Philomena Skelton (49 years) (Drumquinn), Fred White (60 years) (Omagh), Brian White (26 years) (Omagh), Adrian Gallagher (21 years) (Omagh), Jolene Briege Marlow (17 years) (Omagh), Esther Nora Gibson (36 years) (Beragh), Debra Anne Cartwright (20 years) (Omagh), Julia Victoria Hughes (21 years) (Omagh), Sean McLoughlin (12 years) (Buncrana), James Victor Barker (12 years) (Buncrana), Oran Michael Doherty (8 years) (Buncrana), Samantha McFarland (17 years) (Omagh), Breda Catherine Devine (20 months) (Donemana), Vide Elizabeth Short (56 years) (Omagh), Geraldine Agnew Breslin (43 years) (Omagh), Olive Hawkes (60 years) (Omagh), Brian McCrory (54 years) (Omagh) and Sean McGrath (61 years) (Omagh), who died on 5 September.]

We hope and pray that that list will not get any longer.

We have all expressed our sympathies many times over, but I am certain that other Members will wish to join with me at the beginning of this debate to record sincere sympathy and condolences to all those families who have been devastated by this atrocity, and especially to those who have lost loved ones. We also think of those who are still recovering from their injuries, and we think too of our fellow Assembly Member, Mr Gibson, whose family also suffered directly.

Omagh is one of the two main towns in my West Tyrone constituency. It was my home for the first half of my life; it is where I grew up, went to school and socialised. Most of my family still live there.

Omagh is one of those towns where everyone knows everyone else and where people get on well together. That is not to say that it has not had its share of bombings and murders over the past 30 years. In spite of this, good relations have generally prevailed in Omagh.

But bombs do not discriminate. The explosion has left 29 people dead — and let us not forget the unborn either — and hundreds injured, regardless of age, creed, class or, indeed, country. This evil and indiscriminate act has left so many homes, throughout Tyrone and beyond, shrouded in sorrow and despair. There is the heartache of those grieving for lost family members and friends; there is the pain of those sitting by the bedsides of the injured, praying for the best; and there is the trauma of those involved in the rescue attempts. The pain of Omagh has been felt by many thousands of people who were not directly affected.

Tribute must be paid to all those who became involved in the rescue operation after the explosion. The Royal Ulster Constabulary, firemen, ambulance personnel, doctors, nurses, bus drivers, the Army, the Royal Air Force, council workers, and the man and woman in the street. They all deserve the very highest praise possible. All involved did the very best they could, and no one could have asked for more. I have nothing but the highest admiration for all involved.

Many hospitals throughout Northern Ireland swung into action to receive victims. The Erne, Altnagelvin, South Tyrone, Musgrave Park, the Ulster, the City and the Royal Victoria are all deserving of praise. In particular, the task undertaken by Omagh's own Tyrone County Hospital must be highlighted. The skill and expertise of its staff, and the performance of emergency operations to stabilise the injured prior to their transfer to acute hospitals undoubtedly saved lives. The value of such local hospital services cannot be overstressed and must not be forgotten in any future health board plans.

The excellent and speedy co-ordination of an incident centre, and the subsequent counselling services undertaken by Omagh District Council, the social services and the local clergy are all deserving of commendation. Indeed, I welcome the fact that a task force has been brought together to deal with the tremendous trauma felt by survivors. The ramifications of this atrocity will be with us all for a long time to come. It is vital that everything possible is done to cushion the ongoing difficulties that have to be faced by so many.

I have no doubt, given the nature of their warning and the geography of Omagh's main shopping area, that it was the intention of the so-called Real IRA to kill and maim as many ordinary citizens as possible. To plant a bomb in such an area on a busy shopping day, during

school holidays, and to have timed it to explode just prior to a community event speaks for itself.

How can anyone understand the mind that can contemplate, much less carry out, such an action? Such people are beyond the comprehension of a normal, civilised society and they do not deserve to be part of it. They have claimed that their so-called warnings were not properly passed on. Such a despicable attempt to transfer blame adds insult to the pain and misery they have already created. I trust that the entire House will join with me in expressing our disgust and unequivocal condemnation of those responsible for this outrage.

I must add that there are those in the House who know who these people are. They should be sharing such knowledge with the authorities, North or South, so as to assist in their apprehension. I quote the Adams statement:

“Sinn Féin believe the violence we have seen must be for all of us now a thing of the past, over, done with and gone.”

Is it so?

The Confederation of British Industry has said that the Omagh bombing focused attention on the issue of explosives and weapons. Its director, Nigel Smyth, said

“The existence of significant amounts of explosives and weapons and the capacity to use them with such horrific impact is deeply worrying and highly dangerous.”

It calls on all of those who have influence over such arsenals to do everything possible to secure their early decommissioning. That would be a crucial step forward which would also provide an important, confidence-building measure.

While we consider Omagh, let us not forget the many other tragedies, murders and atrocities which have resulted in multiple deaths that have plagued our land for so long.

If violence is now to be a thing of the past, why the need to maintain these arsenals? The leader of the Real IRA, a former Provo quartermaster, surely knows where supplies are held. He therefore had, and still has, access to such materials as were used to make the Omagh bomb and the others as well over the past few months. The potential for another Omagh must be removed. That is the overwhelming public expectation, and, further, it is a political imperative, if we are to advance the return of right and proper powers to Northern Ireland's elected representatives.

I welcome the anti-terrorism legislation, North and South, that has been passed in the wake of the Omagh bomb. However, I must also point out that the security Minister was warned in no uncertain terms in the aftermath of Banbridge of the probability of an even more devastating attack. I am also disappointed by our Government's failure to match the South's internment

capacity, thus rendering that option virtually unworkable for the Southern Government. We now wait to see if the new legal options available will be used to apprehend and bring to justice those who carried out the attack on Omagh and those who give succour to such actions.

The security response is one thing, but our Government must commit all the resources necessary to assist Omagh to resurrect itself physically and mentally. The after-effects of this act of depravity on that dark August afternoon will remain with everyone for a long time to come and will require a long-term commitment from medical and trauma care experts.

**The Initial Presiding Officer:** May I ask you to bring your remarks to a close.

**Mr Hussey:** Every assistance has been promised by the Secretary of State, but I understand that extra medical staff need to be committed to the Omagh area to help ease the tremendous burdens still being carried by doctors and nurses.

The wishes of the people of Omagh must also be fully considered by those responsible for restructuring the lower market area, and funds must be made available to assist with that. Let us not see officialdom frustrating this progress. The Government must ensure that everything possible is done to help Omagh and the area around it to return to some sort of normal life.

We have witnessed the great, the good, and the mighty visiting Omagh and those affected. Certain scepticism may have been expressed about some of these visitors, but, in general, the visiting dignitaries gave welcome support to the bereaved and injured, and their visits were, and are, aiding the healing process. All must be thanked for their time and concern.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Mr Hussey:** I will finish in a moment.

One could not fail to see the genuine effect which the courageous and dignified people of Omagh had on all their visitors. The truth is that the real impact of terrorism on our community was at last, perhaps, being understood by outsiders.

It would be wrong to conclude without referring to the cruel phone calls and letters being received by some of the families who have lost loved ones and to the recent spate of hoax bomb warnings that have been perpetrated on the people of Omagh. Such actions are to be abhorred, and I call for an immediate cessation of such activities which are causing intense extra pain, concern and worry to people who have already suffered more trauma than anyone should ever have to endure. Surely it is the wish of us all that the Omagh bomb is the last bomb and that we will have to endure such

things no more. Therein would be a fitting memorial to the death, heartache, pain and trauma created by evil in Omagh, this day last month.

*10.45 am*

**The Initial Presiding Officer:** I appreciate that, particularly for those who represent the area and its surroundings, this debate is a deeply painful and emotional one. I also appreciate that many Members will have a good deal to say — and rightly so. However, I want to prevail upon all those who wish to speak to try to keep within the 10-minute allocation. Many Members wish to contribute, and the more who are able to do so, the better. I understand that there is a lot of pain, especially for those of you who were directly affected or who represent those who were directly affected.

**Mr Byrne:** The Omagh bombing on 15 August came as a horrific shock to everyone in Omagh and beyond, especially at a time when most people felt that a more peaceful climate had been developing here. I believe that the Omagh bomb was a defining moment in our political development, principally because so many civilian people were killed and injured — people from throughout Tyrone, Donegal and Spain. The people of Ireland were shocked and saddened that at this time in our history, Irish Republicans could be so off beam and act in a way so alien to the wishes of the people. The enormity of the casualties caused by the Omagh bomb sickened everyone, as did the fact that some people were still pursuing political objectives by using deadly physical force.

We all know that dissident Republicans wanted a so-called spectacular, at this time, in order to wreck the current peace process and prevent the new political structures, including this Assembly, from functioning. The timing was right and the town of Omagh ideal, in their view, to provoke a derailment of the entire peace process.

It is, however, a sad fact that it took the deaths of 28 people (now 29) and over 200 injuries — many of them very serious — to bring everyone, including most senior politicians, to their senses. Public opinion throughout Ireland was clearly one of revulsion. No one could justify such an atrocity. The Social Democratic and Labour Party Members want to extend their sincere sympathy to all the bereaved families and to those who are still suffering from injuries.

The two Governments have had to act in unison, as never before, in order to reflect public anger. Omagh is a unique town, as my fellow Member from West Tyrone, Mr Hussey, said earlier. It has always been a model of tolerance and accommodation. People who live, work or shop in Omagh have always been comfortable with each other. Omagh is the county town



of Tyrone. It is a good, well-integrated provincial town where community relations have always been good. People feel very angry, therefore, that a terrorist group should decide to bring a bomb into the heart of the town on a busy Saturday afternoon, intent on causing maximum damage and destruction to people and property.

As a public representative of the people of Omagh, I have to ask "What kind of patriotism is this? What kind of humanity allows the bombing of a crowded civilian shopping scene, such as Market Street, Omagh?" Quite simply, nothing in the wide world could justify the killing of people in such an inhuman and callous way.

One key fact has emerged. The Omagh bomb has, I hope, at long last done away with ambivalence about political violence in Ireland, as we approach the end of this millennium. Many people who have been reluctant in recent times to speak out about bombings and killings have been shaken to their moral and political foundations. The so-called brave people who plan and plant bombs are not so brave when it comes to helping those who have been injured as a result of their evil deeds — to say nothing of those killed.

The ambulancemen and women, the firemen, the police officers, the voluntary-care groups, the St John's Ambulance Brigade, the clergy and the ordinary people who help others at the scenes of bombs like the one in Omagh are much braver people than those who plan and plant such bombs.

It is a terrible shame on our land and on our society that some people can inflict such inhumanity on other human beings — fellow Irish people. It has been quite apparent to most observers that the people of Omagh, in the aftermath of this terrible massacre, have behaved in a very civilised and restrained way, displaying great humanity and Christian feeling. The collective grief and sorrow of the people has been quite remarkable at this very trying time.

I want to address the way in which the town of Omagh and, in particular, the Tyrone County Hospital responded to the bomb. It is remarkable how the medical and nursing staff at the hospital in Omagh responded to this large-scale emergency. The Tyrone County Hospital is only a small-scale hospital, which, sadly, has been steadily run down over recent years. I can tell Members that the families of the injured, and the injured themselves, deeply appreciate the care and attention they received at this hospital. Many patients had to be treated quickly before being transferred to other hospitals throughout Northern Ireland. Mr Pinto, our senior consultant, his entire medical team and all the other staff at the Tyrone County Hospital deserve the highest praise and appreciation for their dedicated and highly professional efforts in the midst of such terrible injuries and trauma.

Many patients were transferred to the Erne Hospital in Enniskillen, Altnagelvin Hospital in Derry, South Tyrone Hospital in Dungannon and, by helicopter, to the hospitals in Belfast. Omagh is a garrison town, and many patients were very glad of the helicopter lifts to the hospitals in Belfast. Many patients were also taken to hospital in private cars and buses. Everyone did what he could to help. Many other groups of people and individuals did remarkable work in helping people after the bomb, and that was deeply appreciated by Omagh District Council and the community in general.

Omagh District Council, under the leadership of its chief executive, John McKinney, quickly set up an emergency disaster centre. This was very important for the families who were looking for those who were lost. Omagh was put on the world media's map because of the bomb, and many journalists and reporters came to our town to relay the horror story and its aftermath of funerals to the world. The coverage of the many important people who visited Omagh in the days after the tragedy was, on the whole, covered sensitively. Coping with this tragedy has been both difficult and trying for the bereaved families, the relatives of the maimed and injured and the owners and workers of the shops and businesses affected. It will take Omagh a long time to recover.

I want to say a special word of thanks to the clergy from all the churches in Omagh who did a magnificent job consoling and dealing with the many families that suffered death and injury. It was the local clergy who organised for the victims the very moving and solemn memorial service which was shown throughout the world the following Saturday.

It is my earnest hope that the Government and their agencies recognise what Omagh represents. Sadly, in recent years, we have only witnessed minimal Government help and support.

It is sorely felt that the central Administration has not dealt Omagh a fair hand. In particular, it has been obvious to local people that Tyrone County Hospital has been gradually and steadily run down by those who simply do not listen to the concerns of those in the west. Quite simply the people of Omagh want an assurance from the relevant Government authorities that their hospital will be sustained with proper resourcing to provide a viable level of acute medical services in the future.

It is to be hoped that now that we have had visits from senior Government Ministers and heads of state, we will be listened to with regard to some of our social and economic problems. I welcome the fact that yesterday Mr Ingram, the industry Minister, announced plans to build an advance factory in Omagh. Young people in particular need reassurance that they will have



better access to higher education locally and that jobs can be created in their area.

The people of Omagh are still in a traumatised state. Many families of the bereaved and injured are suffering terrible grief and pain. Many business people are trying to come to terms with damage to buildings, but some of them have also been affected deeply by the loss of colleagues and workers who were killed or badly injured.

We welcome the fact that the Secretary of State has appointed a senior civil servant to liaise with the local agencies involved in the reconstruction of Omagh. I want to place on record the deep gratitude of the Omagh people to all who have visited us or sent messages of support since the bombing. Many Members of the Assembly came to Omagh and expressed their solidarity with us. We are very thankful for that. In particular, the First Minister (Designate) and the Deputy First Minister (Designate) came a number of times and attended funerals. This was appreciated by all concerned.

We have been deeply touched by all the messages of support from Ireland, Britain and around the world. We can only hope that there will be no more Omagh bombs, and we should all work for that. Surely the public revulsion throughout these islands to the Omagh bomb must mark a new beginning in political relations here. The victims and their families have paid a terrible price for the political stagnation which has existed here for such a long time. Indeed, all of the victims of violence over the last 30 years have borne the same enormous pain and grief that Omagh experienced so tragically just weeks ago.

The path is very clear for all of us in the Assembly. Certainly the people of Omagh wish to see the new political structure working, so that there will be no more of these atrocities.

**Rev Dr Ian Paisley:** I deeply regret that the Assembly was not recalled immediately after the bomb. It is wrong that this elected body was refused the right to meet at that time. Other bodies were able to do so but, because of the influence of the First Minister (Designate), his deputy and the Secretary of State, the Assembly was not. I regret that it has taken so long for us to have the opportunity to express our views here.

I am glad to associate myself with all the tributes that have been paid by those Members who have already spoken. The terrible crimes of those responsible for that bomb in Omagh and those killings and murders throughout the province should not be allowed to be forgotten.

I utterly deplore the fact that the President of the United States of America came to Omagh and unveiled a carefully worded plaque which contained no

indictment of the so-called Real IRA. We had the same thing in Enniskillen as well.

*11.00 am*

Why are we constantly reminded by politicians of the crimes perpetrated by those on the Loyalist side? This should go on the record fairly and squarely: there is no difference between the villainy, the hellishness and the hideousness of what took place in Omagh and all the killings of the past. Do the parents and loved ones of the 299 murdered policemen, put to death by the Provisional IRA, feel any differently than the people in Omagh who mourn their loved ones?

The people of Northern Ireland, who have opposed what is happening in this province have a right to say something today. We were promised tranquillity, but instead we got terror. We were promised peace, but instead we got war. We were promised quiet, but instead we got grief. We were promised the end of killing, but instead killings have multiplied.

Since this so-called Belfast Agreement was signed 37 people have been murdered by terrorists. Every paramilitary group supposedly on ceasefire has breached that ceasefire and the terms of the Mitchell principles of non-violence. There have been 691 people injured by paramilitary inspired violence; 75 separate bombing incidents, including the atrocities in Omagh, Banbridge and Moira; a growing list of largely unreported incendiary devices, many of which have destroyed businesses; six car bombs; 49 separate punishment shootings and 55 serious assaults carried out by all the paramilitary groups; and there are more persons detained in custody this year than during the mid-1970s, when the troubles were at their height. Some peace process.

The Government claim to be doing everything possible to counter these violent acts, but there is little evidence to prove that. The Government are neither tough on terrorism nor on the causes of terrorism today, and the time has come when people have to face up to reality. This was not the first bombing or the first killing in Omagh. The whole mid-Ulster area has been a killing field, an area of IRA activity. One has only to see the graves of gallant men of the Ulster Defence Regiment to know how serious the killings have been.

The Prime Minister keeps saying that the Provisional IRA and Sinn Féin are closely identified with one another. One side is the IRA and the other side is Sinn Féin. These people, whose representatives sit here in this House, were responsible for all the violence that led up to what happened.

We are told by the security forces that the detonator for this bomb was purchased along with other detonators by the Provisional IRA in Phoenix, Arizona.

The time has come to face up to reality. We are being asked to take representatives of this organization to our bosom and put them on the Executive to have a part in the Government.

There is no difference between the killings of the past, on both sides of the religious and political divide, and this killing in Omagh. The only thing that happened this time was that the Governments had a vested interest in their so-called peace process, so that is why they had such a quick and swift answer to this matter. I would say that this matter is not over. I would like to think that no more bombs will follow.

All my political life I have been hearing about the day when the gun will be out of Irish politics. But the gun will never be taken out of Irish politics until those people realise that the majority of the people of Northern Ireland are not going to accept a united Ireland, are not going under Dublin rule and are not going to be pushed around by either a British Government or anyone else on that issue. Until they learn that, they will never cease from their violence. The violence will continue; there will be more sorrow and more deaths. To say that the speeches made by the IRA/Sinn Féin Leader is some sort of going back on what they have always stood for, is to fly in the face of the evidence.

I do not see any repentance. I do not see a turning. The best way for them to demonstrate a turnaround would be to hand in the remainder of their arms, give up the murder weaponry and dismantle their arsenal. That is the only proof of their having turned from their wickedness and their lies that we can accept.

It behoves all of us to understand the real issues that are involved. An attempt is being made by concession and concession and concession to buy off the bombing of the mainland. That is what it is all about. Mr Blair is prepared to keep making concessions to ensure that no more bombs go off on the mainland. But when those who control the arsenal find that things are not going completely their way, they will return. As one of their members — now a Member of this Assembly — said during the talks, they will return to that which they do best. So what can we do but heed what they are saying?

This is a sad and a bitter day. I have spoken to many of the victims' loved ones. What was reported by Mr Clinton and Mr Blair about their attitude was untrue. They spoke to both the President and the Prime Minister, but their feelings were not portrayed by both these gentlemen when they addressed public meetings.

The sorrows are deep, and the wounds go to the very quick. There is only one healing, and that is to see every murder weapon surrendered and complete and final decommissioning and destruction of the arms used to murder people.

**Mr P Doherty:** One month ago the atrocity of the Omagh bomb was visited on the people of Tyrone, on the people of my own county — Buncrana, Donegal — and on people from Madrid. I would like to reiterate my condolences and sympathies and those of my party to all who were bereaved and injured. The dignity with which the family members, relatives and friends of those who were bereaved conducted themselves was a humbling experience for any of us who were around Omagh in the days after the bomb went off. The courage of the emergency services, the doctors and the nurses was also exemplary.

In the weeks and months ahead when accountants' figures and management reports about hospitals appear, let them fade into insignificance against that courage.

We have been reminded by other Members of the awful summer that we have come through: the three children murdered in Ballymoney; Nationalists driven from their homes; and Drumcree and the Garvaghy Road. When we reflect on these things there is an onus and an awful responsibility on us as politicians to move forward and resolve them.

The attack on Omagh was also an attack on the peace process. There is therefore a great responsibility on us to sustain that process and bring it to fruition. We also have a responsibility to build a memorial of lasting peace to all those who have died, not only in Omagh but throughout the troubles. The foundation stones of that memorial should be not only the resolution of the conflict but the resolution of the issues that lead to the conflict in the first place.

Exactly a year ago today we were invited, on the basis of our electoral mandate, to start the process of negotiations. After months of negotiations we produced what has become known as the Good Friday Agreement. It is our duty as politicians to implement that Agreement. We did our best. We brought forward our concerns, our aspirations, and we matched them against the concerns and aspirations of the other political parties. We now must build on that and implement the Agreement with as much speed as we can muster. Omagh will renew itself, and I hope that we can move beyond renewal to rebuilding all that has been lost.

We all have our memories of the event and of the days after. I had just landed in Portugal for a week's holiday with my wife, and I had to return immediately. My clear and undying memory is of lists — lists of funerals, lists of those in hospital (and the length and the indignity of those lists) — and of so many people killed and so many people in hospital.

My other clear memory is of two men — one an Ulster Unionist councillor and vice-chairman of Omagh District Council, the other a Sinn Féin councillor and

chairman of Omagh District Council — and of the way in which they worked together. They performed their civic duties in a way which matched and mirrored the dignity and the courage of all who had been bereaved, of all who had suffered and of all who had worked to save the people caught up in the bomb. They have shown us how we might move forward. There is an onus, a deep and heavy responsibility, on us to do so.

We must ensure that Omagh is the last atrocity. We must put all of that behind us. We can, as politicians, recriminate. We all have memories of suffering, of loss and of indignities, but we must match the courage of the people of Omagh, move forward, find a solution and make the Omagh atrocity the last.

*11.15 am*

**Mr Neeson:** On behalf of the Alliance Party, I wish to express deep sympathy to the families of all the 31 people (including the unborn twins) who were killed at Omagh and to those who were injured. Sadly, some will have desperate injuries for the rest of their lives. Again, I would like to express our sympathy to Assembly Member, Mr Gibson, whose family was touched by the atrocity as well.

This probably was the darkest summer in the history of Northern Ireland. But Omagh was a tragedy waiting to happen. It could have happened in Banbridge or Moira. The sad thing is that Omagh has always had excellent community relations. Omagh was the unfortunate victim of the Real IRA.

I heard about the tragedy on the second day of my holiday with my family. You remembered where you were when John F Kennedy and Princess Diana were killed, and Omagh is rather like that. The enormity of the tragedy did not come all at once. It unravelled gradually: 10 were dead, then 20, then, eventually, 28, and hundreds injured.

I visited the hospital in Omagh on the Monday afterwards, accompanied by Seamus Close, David Ford and Cllr Ann Gormley. I wanted to say my thanks to the staff, but I also wanted to speak to some of the injured. I was struck by the large number of young people who had been injured, and I could identify with them because some of them, like my own children, were waiting for the GCSE and A-level results due the following week. Suddenly the results seemed irrelevant.

I went to the leisure centre, which had been the incident centre, and I must pay tribute to the staff who took on a very difficult job, informing loved-ones that it was their father, mother, daughter or son who had been killed. Never have I seen police officers so touched by the savagery of the bomb that had been planted.

I met Mr Byrne, Mr Hussey and some councillors in the high street, and there was an eerie silence. I met

people like Tom Watterson, who lost three members of the staff of his shop. Those images are for ever etched on my mind.

On the Saturday I went back again with Seamus Close to the service, and I was struck by the dignity of the occasion.

I would like to put on record my thanks to John McKinney and all his staff at Omagh Council. He showed true leadership at a very tragic and difficult time.

The Governments, North and South, reacted quickly, and it was proper that both the Dáil and Westminster were recalled to deal with the issue — that was what everybody wanted — and I was impressed by the way in which both Governments worked in tandem on it. Both Parliaments passed draconian legislation which must be kept under review.

If the culprits are known — and we hear that the dogs in the street know who the members of the Real IRA are — it is important that surveillance be kept on these people morning, noon and night so that evidence can be collected to convict them in the courts — I would rather see convictions than internment dealing with this.

We are told that the Real IRA is on ceasefire. I am somewhat sceptical of that. The Continuity IRA has not yet called a ceasefire, so there is always a fear that these misguided morons will commit another atrocity.

However, despite what happened in Omagh we see daily the poison of naked sectarianism on our streets, particularly in Portadown. It is a poison that we must not allow to spread throughout Northern Ireland; and there is a danger of this poison spreading. It can kill: we have only to look at Ballymoney and the murder of the three Quinn children to see that. It can injure: only a week ago a policeman, doing his duty, was severely and savagely injured by a pipe bomb. And it can destroy. There are many people who want to destroy the Assembly and the peace process, and they must not be allowed to succeed.

I am calling today for all those involved in the conflict at Drumcree and Portadown to get round a table and talk. Dialogue can work. We saw it happen in Derry with the leadership of the Apprentice Boys and all the other groups involved in the conflict there. Dialogue can work — that is why we are here today. The Assembly provides a new chance and a new opportunity for Northern Ireland. It is therefore important that the situation at Drumcree should not be allowed to drift; it must be dealt with now.

The enormity of the tragedy at Omagh united the entire community in Northern Ireland. The following Saturday hundreds of thousands of people right across



the province — Catholic, Protestant, people of every religion — came onto the streets to show their solidarity and sympathy with the people of Omagh.

Surely that must inspire us all to want to create a society in Northern Ireland where, at long last, we can truly live in peace and reconciliation.

**Mr McCartney:** I join with everyone here in paying tribute to the medical and emergency services who did so much to lessen, insofar as it could ever be lessened, the tragedy of Omagh. No words can adequately describe the horror of Omagh, and ordinary people cannot comprehend the mindset of those who were responsible for that outrage. Yet except in terms of its scale, that outrage was little different from others in Oxford Street, McGurk's Bar, Enniskillen, La Mon, Teebane or the Shankill. All of these outrages, including the one in Omagh, were committed in the belief that they would accelerate progress towards achieving the political goals of those who committed them or prevent others from reaching or maintaining their goals.

At this moment, the Provisional IRA retains all the armaments necessary to perpetrate a hundred Omaghs. The Real IRA was almost certainly making use of explosives and detonators which had formerly been part of the Provisional IRA arsenal. What distinction or difference, if any, is there between the Real IRA and the Provisional IRA? The Provisional IRA is acknowledged everywhere as being inextricably linked with Sinn Féin. The word "inextricably" means that it cannot be separated from Sinn Féin — Sinn Féin, 18 of whose members have seats in this Assembly, two of whom may shortly be placed in government over the people of Northern Ireland.

The Real IRA and the Provisional IRA share the same political goals; both have as their political objective a united, socialist Irish Republic. Both believe that terror and violence, murder and mayhem may be justified in the pursuit of their objectives. There are no moral or ethical differences between the Real IRA and the Provisional IRA. They differ only in their tactical views as to when violence may be most efficiently and effectively used for attaining their political goals.

The statement of Mr Adams, the Assembly Member for West Belfast, that the violence was over and done with was, of course, qualified: it will be over if the present process continues to deliver the political aims and visions of Sinn Féin. But should Unionists — or anyone else — obstruct what it considers to be the inevitable progress towards those goals and ambitions, violence may once again have to be resorted to, and for that reason it is absolutely necessary that armaments, explosives, guns and detonators be retained in order to exert, when necessary, the appropriate leverage in

negotiations or discussions which are ostensibly part of the democratic process.

After Omagh many people had a sense of *déjà vu*. Those who remember Enniskillen will recognise remarkable similarities: then, as now, the Provisional IRA, like the Real IRA, had not just committed indescribable murder and destruction, it had occasioned a public-relations disaster. Then, as now, Ireland was aghast. Fifty thousand people signed a book of condolence in Dublin. The Catholic Church apologised — in my view quite unnecessarily — on behalf of those who had committed the atrocity. Mrs Thatcher visited Northern Ireland. The great and the good shed their tears and gnashed their teeth. But such emotional outpourings did not prevent the renewal of violence by the groups that had committed such atrocities as those in Enniskillen, La Mon, Oxford Street, Teebane and Whitecross when, once again, it became politically necessary to resort to violence. And they will do the same again.

*11.30 am*

Mr Doherty, the Member for West Tyrone, well appreciates that Omagh was once again — even if one step removed — a public-relations disaster for the Provisional IRA and Sinn Féin who have been struggling ineffectively with the condemnation of their former associates. The Real IRA has done and is doing nothing which is contrary to the ideology of Sinn Féin/IRA.

In the recent debate in the House of Commons on the new anti-terrorist legislation it was pointed out that since 10 April some 38 people had been murdered in Northern Ireland, 11 of whom were not involved in Omagh, including people murdered by "good terrorists". By "good terrorists" I mean terrorists whose organisations and the political parties fronting them are ostensibly within this process.

More than 37 punishment shootings, some of them fatal, have been committed in an effort by these parties and organisations to maintain control over those areas which they dominate. There have been over 59 brutal punishment beatings, inflicting injuries which are orthopaedically and physically very often more grave than shootings, all of which were sanctioned by organisations fronted by political parties in this Assembly. That is why I referred yesterday to the need to have democratic, non-violent principles as the touchstone for participation in the Assembly or its Executive.

Let me close with this anecdote. When Parliament was recalled to debate the anti-terrorist legislation I spoke to a former member of the Shadow Northern Ireland Labour team and pointed out this distinction between "wicked" terrorists outside the process and



“good” terrorists within it. I pointed out that the “good” terrorists had committed nine murders and umpteen beatings and shootings. I said “Is it not immoral for any Government, and particularly for the Mother of Parliaments, to be sanctioning such a distinction?” His reaction was “I do not consider it immoral, because the peace process must go on.” The peace process must, therefore, sanction murders of the kind to which I have referred as long as they are perpetrated by people who, ostensibly, support the process and can offer us their hypocritical expressions of grief about what happens.

It is not sufficient for Omagh to be the occasion for an emotional outpouring of grief, necessary though that may be. There must be a rational, cold analysis of the underlying factors, principles and ideologies which permitted it to occur, and it is the duty of the Assembly, as it is the duty of the House of Commons, to purge itself of those who think otherwise.

**Mr Ervine:** I do not think that I, or any Member here, fully understands the immeasurable pain and suffering of the people of Omagh. Many have pointed out that the size of the atrocity in Omagh sets it apart from the many other atrocities that we have had to live with over the last 30 years. Maybe we will never fully understand the grief and suffering and pain that is abroad in our society. But Omagh will not go away; Omagh will not be forgotten.

The physical and mental legacies are two reasons for that. It will be seen in those who were disfigured, left limbless or blind or had other serious injuries. Some of us are not in Omagh very often, and every time we drive through, we may see someone on crutches, or someone with a guide dog. We will be being reminded for a very long time to come, more especially because of the ages of some of the victims.

I share in the tributes to the carers, those heroes and heroines who saw and dealt with that which no human being should ever have to deal with. Yet I heard the voices coming from Omagh — soft, determined and dignified, wanting Omagh to be the last. Whether they were on the “Yes” side or the “No” side, they certainly wanted Omagh to be the last, and I hope that it was the last. I am not clairvoyant, and predictions have been made here today, but I sense that Omagh was a watershed. There was the strong attitude of the Government, determined — some would say for the first time — to be the moral guardian of democracy.

Politicians, in the main, are coming to their senses and realising the level of brutality and pain there, and we are sensing that it has to be different. Then there has been the attitude, more especially, of the ordinary people. From wherever it came, there was absolute condemnation, revulsion and anger that more bodies and last breaths had been taken away from us on a

vehicle of ideology, inflicting again that which has already been inflicted — against their will.

I have heard talk about ambivalence, and in the past there has indeed been ambivalence from all sides. Prior to the Omagh bombing, I heard the leader of Sinn Féin being accused of ambivalence towards the bombing of Banbridge and Moira. But was it ambivalence, or was it fear on his part? All groups have three sets of people: the thin band that is the leadership, the thin band that are the moralists, and the vast swathe of people in between who wish that the leader, or leaders, could say the things that would get the moralists off their backs. We are experts about that, are we not? The predictors, the prophets, who tell us what we really do not want to hear — even though they have no concept of how they are going to take us beyond the brutal subculture of violence, they condemn all and sundry. I can say this because I have stood and taken such condemnation.

I accept my complicity; I accept my responsibility; and I expect others to do the same. The moralists never do anything wrong. They are better people than everybody else; they are more honourable than everybody else; they are better Unionists or Nationalists than everybody else, but they do not take us anywhere. They take themselves to nice places. They do well for themselves, but they do not offer my society very much.

I heard a journalist say that we had to consider the cock-up theory for Omagh, that young men, not experienced in paramilitary ways, panicked. I do not accept that, but there is a historical reason for my not accepting it. I can remember bombs going off in Northern Ireland. I can remember no-warning car bombs. And I can remember worse — car bombs when the warning gave the wrong location of the bomb. That was around the time when two IRAs were created: the Official IRA and the Provisional IRA. Can some parallel be drawn between that and the present-day split between Real IRA and the Provisional IRA? Perhaps the leaders of the organization that is associated with the Provisional IRA have learnt lessons from the very acts that they themselves committed when they succeeded in taking over that organization.

The one big difference that exists now is the will of the people. That is the new dynamic in the politics of Northern Ireland — 71.12% of the people supported the Agreement. I listened yesterday to those who vociferously, and quite brutally, attacked the Leader of Unionism. They accused everyone else of not being democrats, and then by their very actions, language and attitude, challenged the single, most important democratic decision that has ever been taken in Northern Ireland.

They have the right to challenge political opinions. They have the right to ensure that their voices are heard.

They have the right to share in the government of this society and begin a process of healing and building and delivering of services. But they do not have the right to rerun the referendum — not at any time. Those who have described me as “pathetic” need seriously to look at our future.

I have heard the decommissioning issue being dealt with along with Omagh. I understand that there may be a bit of brinkmanship here, but if Mr McGuinness cannot deliver — and I emphasize “cannot” — what happens next?

And in returning to the issue of Omagh, I hope and pray that the caring, the sympathy and the outpouring of love that have been directed towards Omagh will continue, because many people in our society who have been hurt and wounded have not been the recipients of such love, and that makes me feel that we may have only a short attention span in circumstances like these. Omagh happened to us, to our people, and it must not be forgotten.

*11.45 am*

**Ms Morrice:** The tragedy in Omagh has had a profound effect on all of us. Never in my life have I experienced such shock and sadness throughout the community. It has been said that none of us will ever forget 15 August 1998. We will remember the men, women, and children who lost their lives. We will remember those who were maimed and those who were injured — indeed, some are still in hospital just along the road from here. We will remember their families in Omagh, in Buncrana, in Madrid, so cruelly torn apart by this terrible and horrific tragedy.

When we speak of man’s inhumanity to man we will remember Omagh. We will also remember the Quinn family, and Teebane, and Oxford Street, and the Shankill Road and all the other atrocities. I have been able to visit Omagh, and above all I will remember the tremendous grief and the dignity in the words and the deeds of the families of the victims and those directly affected by the bombing in the days and weeks that followed.

We in the Northern Ireland Women’s Coalition want to add our names to the long list of people from near and far who have sent their heartfelt sympathies and condolences to the families of the dead and injured. We also want to convey our sincere appreciation to the medical services, the emergency services, the security services, the health and social services, the volunteers and all those who responded so swiftly to the call for help. There is no doubt that they played a hugely important role in the immediate aftermath of the bombing. But we must also remember that they are still playing a vital role now and will continue to do so in the weeks, months and years to come.

We pay tribute to the determination, courage and strength of spirit shown by all those who have been touched by this outrage. We stand in their shadow. The people of Omagh and all who have suffered have shown us what real greatness is. Their determination to rebuild their lives and the life of their community is a lesson to us all. Every step we take in this Chamber towards the creation of a peaceful society will be taken in the shadow of their suffering and of all those who suffered before them.

It is inadequate merely to condemn the actions of a minority who are bent on destroying the peace process. We must go further and show our determination to stand firm against all acts of violence. We pledge ourselves — and I hope everyone else in the Chamber can pledge themselves — to work for a better, peaceful, stable, democratic, non-violent society, in which every man, woman and child has a sense of belonging and a feeling of security.

I would like to take a moment to pay tribute to the work of the First Minister (Designate) and the Deputy First Minister (Designate). Both have shown real leadership throughout these dark days. By their actions, they have shown their determination to move forward towards a better future. Together, they are guiding the Assembly with a combination of strength and sensitivity, and we know that that will be the hallmark of their leadership. They have our full support.

There are Members who will criticise their efforts. Some will say that they are going far too slowly; others will say that they are going far too fast. The Women’s Coalition wants to see the Agreement implemented as fully and as swiftly as possible, but we will caution against any knee-jerk reaction. We cautioned against the introduction of new emergency legislation in the aftermath of the Omagh bombing. We agree with what Mr Neeson has said, that the perpetrators must be brought to justice, and the sooner the better, but we are concerned that any possible miscarriage of justice could be counter-productive. The Omagh bombers are isolated in our society, and they must continue to be starved of the oxygen of support. Never, never, never can the use of violence be justified as a means to an end — political or otherwise.

The Women’s Coalition welcomes all statements saying that violence must end, and we also welcome the recent ceasefire announcements. We commend the courage and determination of the people who have held firm to their commitment of non-violence. We continue to call for an end to all acts of violence, and we call on all those with influence to work for a future in which every weapon of war is removed from society for ever. The Women’s Coalition is working towards this end, and we will continue to do that in the Assembly and by building a culture of tolerance in society.

Much has been said about the cost of this violence in monetary terms, but not enough has been said about the cost in human terms. Much greater priority should be given to the victims, to those who are condemned to live with the legacy of war. Even after the guns are silenced, and more than anyone else, the victims of violence deserve our support. The Women's Coalition recognises this in the Good Friday Agreement, and today we reiterate the demand more forcibly than ever that no door should ever be closed to a victim of violence.

Children who have lost their parents and grandparents or who have witnessed events on their doorsteps that would be X-rated in our cinemas must be guaranteed our unflinching support. The Assembly must not be found lacking in its support for such victims, and until we have the power to provide that assistance, we call on the Government to introduce sensitive measures quickly to ensure help for the people of Omagh, the Quinn family and all the others who have suffered so terribly over the last 30 years or so on their journey towards emotional and physical recovery.

Omagh must be the last atrocity, and the greatest memorial that the Members of the Assembly could give to the victims of Omagh and to the others who have suffered so tragically would be a re-doubling of their efforts to work for peace.

**Mr Foster:** Many words of sympathy have been expressed in the Assembly this morning. I am sure that they were all well meant and said with feeling. Let me quote some that express the agony of Omagh:

"I left him down to the bus and he was so excited that he jumped out of the car before saying goodbye. But he did look at me and smiled in the way he normally did. He had a beautiful smile and was such a happy, gifted child.

To see him lying there with half his head gone and those most beautiful green eyes looking out as if he was waiting for me was devastation. I never realised how green his eyes were. That image will stay with me for the rest of my life. They have taken away my baby; they have robbed him of his future, and for what? I will never forgive the evil men who carried out this deed."

Such are the poignant words of a broken-hearted mother.

How could they? The heartache, the heartbreak, torn and rent bodies, the bloodlust, the absolute horror of Omagh are all so inconceivable. How anyone could plot, plan, co-ordinate and then activate such horror on any community is beyond comprehension. Our hearts bleed for the victims of the Omagh carnage. Only they will understand the real trauma of such evil. Our prayers are for them at this very sad time.

In my home town of Enniskillen almost 11 years ago 11 people died in similar circumstances. Two people

died in my hands as I tried to console them. My neighbour lay dead behind me. I assisted in pulling a survivor, Mr Jim Dixon, who still suffers from the injuries sustained, out of the rubble where he would have perished. I think of Mr Ronnie Hill who has lain in a comatose state since that fateful day. I became the social worker to the Enniskillen Fund, completing 130 visits to the victims and the bereaved. I refer to all of this, not out of bravado, but to emphasise that Omagh suffered, to an extreme degree, what others throughout Northern Ireland have also suffered.

It is in the event of such carnage that it is realised just how much outlying areas of the province value the acute hospital services. They are vital. What would have happened to the victims of Omagh if the Tyrone County had not been an acute hospital and if the Erne Hospital in Enniskillen and the South Tyrone Hospital in Dungannon had not been available to render invaluable medical support? Access to a hospital when life or death issues are presented is absolutely vital. The death toll could have been so much greater without the availability of those hospitals.

I cannot pay tribute enough to all the hospitals throughout the province for the services they provide, to the agencies which offer help and to all who showed such tremendous bravery and courage in the face of horrific scenes of bloodletting. Thank God for the compassion of all who serve this afflicted community.

However, the obvious question is this: have Mr Adams and his Sinn Féin associates taken any steps to discourage such heinous crimes over the years? It has already been said that they and the IRA are inextricably linked. Both Governments have stated so many times. The IRA said some time ago that IRA members who are also members of Sinn Féin may sit in British institutions. This dispensation is also verification of the inextricable link made manifestly clear. This Assembly is a British institution accepted by all who pledged themselves to the Agreement on Good Friday, and Sinn Féin is telling us that it has permission from a terrorist grouping to be here.

We trust that never again will such evil present its ugly face and that those who have been involved in any kind of terrorist activity over the years, or who presently lie through their teeth, will, if not caught by the temporal law, one day suffer the wrath and indignation of Almighty God. Such recompense is inescapable. The need is therefore for repentance and disarmament on the parts of unlawful groups. This is essential.

Republican elements and others must now activate decommissioning to evidence good faith, honesty and intent and, as the Agreement dictates, commitment to non-violence and exclusively peaceful and democratic means. Never should our people ever again have to



experience the pain, the deaths, the carnage of another Omagh, La Mon, Greysteel, Loughinisland, Shankill Road, Enniskillen, Teebane and such like.

In my constituency of Fermanagh and South Tyrone we have suffered over the years along the border with the murder of so many good citizens — ethnic removal indeed.

12.00

These days peace is the word on many people's lips, and peace, therefore, is the key. When illegal weapons and materials of war are no longer available to illegal forces who bring about terror and destruction, peace will prevail. There must be evidence of decommissioning by such people now; there must be no more stunts with weapons and explosives; now is the hour; there cannot be any equivocation on this matter.

If people talk peace, they should take action to ensure peace. A provincial newspaper stated recently

"Let our entire community unite against evil. Let us commit ourselves to peace and peace alone. Let us back the forces of law and order. Let us resolve to build a new future, Unionist and Nationalist alike. Let this be our sincere and lasting tribute to the victims of Omagh."

We must now have reached a watershed, but considering all the innocent victims during the past 28 years, what a price we have had to pay.

A lasting memorial would be permanent peace. Never again would Northern Ireland become a rubble heap, a charnel house, a breeding ground for pestilence and hate. Let me quote from the local newspaper again:

"They have taken away my baby. They have robbed him of his future — and for what? I will never forgive the evil men who carried out this deed."

The onus is on terrorists and their associates; they can make or break what is good for us all.

**Mr McMenamin:** It is with a sincere sense of service that I speak to the House today. The topic of my maiden address to this august body fills me with great sadness. I have worked and played in Omagh and, several times in the past weeks, I have prayed in Omagh.

The entire civilised world now equates the name Omagh with atrocity — the vileness of man's inhumanity to man. In the annals of our tragic history, Omagh will symbolise the levels of inhuman barbarity into which our little land has been plunged time and again.

Fortunately, we have witnessed the magnificent response of the good people of Northern Ireland to the emergency in Omagh. Doctors, nurses, police, emergency services, social workers and the entire community reacted with great love, care and

compassion to help the dying, the wounded, and the broken-hearted. We have all suffered from this tragic wrath. Let me reiterate our deepest sympathy to the bereaved, the maimed and the young minds which have been blighted and disillusioned by the absence of peace in Northern Ireland.

Let me say to fellow Members that surely this is not the legacy that we wish to bequeath to our sons and daughters. There is an old African saying which is used at funeral ceremonies:

"Death is not the extinguishing of the light, rather the dousing of a candle because a new day has dawned."

The Assembly should ensure that a new day has indeed dawned. Let us work together in a spirit of co-operation and mutual respect to guarantee that that new day will bring peace, prosperity and the joy of living to our young people. Let us smooth the path for them that our forefathers were unable to do for us.

**Rev William McCrea:** For 14 years I had the privilege of representing the people of Omagh in another place. They are a courageous people. The dignity with which they have borne their grief ought to have touched the heart of every decent citizen.

Omagh was a tragedy of immense proportions. Twenty-nine innocent victims were blown apart by a bomb designed, coldly planned and detonated by evil men. As a member of a family that has endured similar barbarity, I unreservedly condemn the IRA action in Omagh. I have heard it said that no one can fully understand the pain people suffer except he has been there. That is true. No one can understand the darkness of the night the families pass through unless he has been afflicted in like manner. The atrocity of Omagh cannot be fully described in words.

The heartache and the grief that were experienced by so many families have rent the hearts of so many others over the past 30 years. The genuine expressions of sympathy by those from every walk of life were admirable, but many families have suffered throughout the province over the years. It must take a brass neck for certain people to sit in this elected body and not blush when they think of the atrocities of the past. The pain of Omagh was not the commencement of heartache. Over the past 30 years other families have endured similar tragedies. When we talk about 29 families we talk about 29 individual families. But think of the countless hundreds of individual families who to this very day grieve for loved ones who were brutally done to death.

I stood on the bridge in Omagh with my back to the awful carnage and wreckage in the town. I looked to my right down the Ballygawley Road, where 13 young soldiers were brutally done to death. And then there is Teebane. I looked down the Cookstown Road and



remembered the innocent workmen that got into the van in Omagh to make their way home to Cookstown and Magherafelt — men who had done a hard, honest day's work, trying to make a living for their families. As they made their way home that night they were watched until their van came to the place where the bomb was detonated right on time. Those men were blown to bits. I stood amidst the broken bodies and helped the security forces and members of the other services pick up the pieces.

No words of condemnation or regret have been uttered concerning those bombings. And when I hear Members in this Chamber condemn the Real IRA, I ask myself if this is the day when we are going to hear Mr Adams condemn the Provisional IRA. Is this the day when we are going to hear Mr McGuinness condemn the Provisional IRA? It is interesting that they have condemned this atrocity because it was the work of the Real IRA, even though the Real IRA was using the weaponry of the past. It is a different organisation; it is not the Provos. That is why they could say "We condemn this action" because it made them blush. They did not blush when the bodies were being picked up at Teebane.

They did not come on to the television and condemn Warrenpoint, La Mon, Ballygawley, the Droppin' Well Inn or Oxford Street. Perhaps some Members could tell us all the sordid details. And, of course, we have the two young corporals who were so brutally done to death. The persons who did that deed were certainly not squeaky clean.

But words are cheap. It is totally insincere to condemn the Real IRA without condemning the Provisional IRA and every other grouping, irrespective of which side of the community it comes from, because every other paramilitary grouping has carried out acts of terrorism. I think of the tragedies that have happened throughout Mid Ulster. We went to Government after Government and begged for action. We went to security chief after security chief and begged for action. But nothing was done. Today, however, political manoeuvrings demanded that something had to be done, and so anti-terrorism legislation was rushed through the House of Commons.

Let us have decommissioning of all the weapons that are in the hands of terrorists and paramilitary organisations. I salute the security forces that have protected the people of this province. It is interesting to note that over the years even Sinn Féin/IRA has been very happy to lift the phone and ring when help was needed.

I have heard today in this Chamber that Omagh will not go away and that Omagh is different. What is the difference between Omagh and Teebane? I know a woman whose husband was murdered at Teebane. She

asked me if everyone had forgotten her husband, if anyone cared about her child, who is being brought up without a father and who cries himself to sleep even to this day. He is begging for a father who will never come home again. Then I think about those who condemned the incident.

What is the difference between Omagh and what happened to my family? Fifty bullets were fired at my home from an AK-47 in an attempt to kill my wife and children. But there will be no words of condemnation because those words are selective. This province has endured the nightmare of terrorism, and the terrorists must be defeated.

La Mon and Enniskillen may be forgotten, but it is said that Omagh is different. I say to the people of Omagh that their grief is genuine and their hurt such that no one can ever imagine or understand its depths. But I also want to say to the people of Omagh that if the Government do not bring to justice those who were responsible for all those deeds, whose hands are stained with blood, that if they think that they have escaped into the darkness of the night and got away with their evil deeds, and that if they think that they will get political gain through the power of a gun, there is a day to come that God has ordained.

That is the day when men shall stand before God and every deed will be brought before Him. The Bible says

"The wicked shall be cast into hell, as shall all the Nations that forget God."

There is forgiveness with God, and there is pardon with God, but there is only one pathway to that pardon and forgiveness and that is repentance. The Scriptures say

"except you repent, you shall all likewise perish".

Those are solemn words, said not by anyone in this Chamber but by the Saviour Himself.

*12.15 pm*

**Mr McElduff:** A Cheann Comhairle, Mr Initial Presiding Officer, ar mo shon féin, ar son Sinn Féin agus ar son muintir Iarthar Thír Eoghain go háirithe, seolaim ón áit seo comhbhrón ón chroí dóibh siúd a d'fhulaing ar an Ómaigh ar na mallaibh. Bhí aithne agam go pearsanta ar chuid mhór acu agus tá sé deacair coinneáil suas leis an tragóid, tórramh i ndiaidh tórraimh.

I want to reiterate many of the sentiments expressed by other Members. All those who have suffered through injury or bereavement still have our sympathy. A great sadness has been visited upon the Omagh district, Co Tyrone, Co Donegal, Spain and the length and breadth of this island. A community is sharing tragedy, and I do not pretend to understand what those worst

affected are going through. Horror, pain and grief have affected many people in many communities. It is heartbreaking. All of the adjectives that could be used have been used. I acknowledge and recognise the hurt that Unionists have felt, and I ask for similar recognition and acknowledgement of our hurt. We have suffered as well.

I regret — I say this mildly and not stridently — that some Members cannot resist political point scoring even when we are all united by the horror at what happened in Omagh.

I heard the news of Omagh on the radio at 7 o'clock as I was driving home from Dublin. I just heard enough to know that something very serious had happened in our county town. I began to think about my daughter Naomh, my wife Paula, my parents, my brothers and sisters and everyone else who might be affected by the tragedy. I went directly to the Omagh leisure centre where recently I had had a political debate with Mr Maginnis, Mr Durkan, Ms McWilliams and Mr Ervine.

Mr Byrne chaired those proceedings, and the leisure centre will be familiar to some Members from outside Co Tyrone. We stayed in the leisure centre for more than 20 hours. It was my birthday, and I recalled the seven happy years that I had spent at the Christian Brothers Grammar School and my walks through the streets now affected by the bomb. I had made many friends, socialised and shopped in Omagh. What happened next was a seemingly never-ending succession of wakes and funerals.

Those present will never forget what happened at the leisure centre: people were queuing up to go to the morgue and identify their loved ones.

Then the funerals began. The first were those of Mrs Grimes, her daughter, Avril Monaghan with her unborn twin girls and her daughter, Moira. The most recent funeral, was that of Sean McGrath. Few people know that Libby Rushe's mother, Mrs Eileen McCulla, has subsequently died at the age of 96, heartbroken to the end.

A dignified candlelight vigil was held at the Drumraw Avenue/Ulsterbus car park in Omagh. Many prayers have been said in Ireland and abroad, including Donegal and Tyrone and places like Fintona, Dromore and Castlederg. The dead and injured were young and old, an amazingly diverse grouping who happened to be in the one place, at the one time. There was parity of suffering: boys and girls; men and women; Irish people and Spanish people; people from Tyrone and people from Donegal; and Nationalists and Unionists. From one family a father and son died, and from another a grandmother and her daughter and granddaughters.

Many were close friends and good neighbours. It is hugely devastating for everybody.

All who helped deserve commendation. The professionalism of the Tyrone County Hospital staff stands out for me. Voluntary helpers answered the call. Having been born in Tyrone County Hospital, I shudder to think of the consequences had plans gone ahead to remove the acute services from the hospital before 15 August. The total of 32 deaths — if the accident victim from Co Antrim is included — would have been more.

I am reluctant to make a political point, however, I have no doubt that the death toll would have been significantly higher but for the existence of the Tyrone County Hospital. That is a compelling argument for ensuring that the Tyrone County Hospital is retained as a first-class acute services hospital. Indeed, it should be upgraded and expanded. It would be terrible if it were not retained — that whole swathe of rural territory west of the River Bann would be disadvantaged.

A Chathaoirligh, tá muid uilig ag mothú na péine. Aithním go bhfuil go leor leor duine in Éirinn a thuig an brón agus atá ag iompar ualach an bhróin. Chonaic muid pictiúr ar an Ómaigh, áfach, a síleadh a bheith fágtha san aimsir chaite.

It is difficult to dwell on the political implications. If there is to be a political response, let it be the speedy implementation of the Good Friday Agreement; let everyone hold his nerve.

Many of those bereaved by the carnage in Omagh have pointed to the way forward for all of us. They have very earnestly said that they want to see the further development of the peace process. Even in the depths of personal despair they have communicated that message to us very clearly and coherently.

There is a long road ahead for the people of Omagh. Those in that area, district and county will need every conceivable help. We are all still coming to terms with what has happened, and we need to tread gently. Hearts will continue to bleed in Omagh for a long time to come. However, there is hope: hope that is represented by Sean Clarke and Alan Rainey at an official level, hope in the birth of baby Chloe Emery from the Campsie area who was born in the South Tyrone Hospital and is now about four weeks old.

For me, the hope and spirit of Omagh shone through when Niall McSorley took his place for Omagh St Enda's in the Tyrone County final against Ardboe O'Donovan Rossa's at Pomeroy St Plunkett's on Sunday afternoon.

I want to commend everybody — low profile and high profile — who came to Omagh. Let us all take our responsibilities seriously with a visible, speedy and real

enactment of the Good Friday Agreement — that is the least we can do. Go raibh míle maith agaibh.

**Mr McGimpsey:** I want to be associated with the expressions of sympathy and sorrow towards the people of Omagh — to those who died, to the injured and to their relatives who are trying to come to terms with what happened and with the pain, physical and mental, which they are suffering as a result of the trauma of a random bomb set off for a political end. I have close family in Omagh who had the good fortune on that Saturday to break their routine — they were not on that street when they normally would have been. It is the juxtaposition of that with the cruel fortune of those who were on that street then which is, I suppose, impossible to understand, to rationalise and to come to terms with.

The people of Omagh that I met in the aftermath had a simple message: they want the Agreement to work; they want peace. People in the province want security; they want to live in peace. As Fr Denis Faul would say, they want to live in peace; they want to die in peace; and they want to rest in peace. It seemed to me that that was the strong message coming from Omagh in the immediate aftermath of the bombing, and other Members have alluded to that.

The point was made to me by people living in the town that if Omagh was to mean anything at all — if anything good was to come of it — it must be that this process would somehow succeed, that the Agreement would be made to work, and that the will of the overwhelming majority of the people of Northern Ireland would be adhered to by the politicians in this political process. The people who set off that bomb did so deliberately, in a ratcheting up of their bombing campaign — Moira, Banbridge and then Omagh — to ensure that the political process that we are all engaged in was firmly knocked off course, or even destroyed.

If we fail in this process, the Real IRA will have succeeded. We do have problems with it. Indeed, the United Kingdom Unionist Party and the Democratic Unionist Party spent most of yesterday talking about those problems and giving their opinion, for example, that decommissioning was not being treated as a *sine qua non*. That is a major hurdle, obviously, but we are trying to get over it, and we do need some progress on it.

We are currently acting under the part of the Agreement which sets out the transitional arrangements. Those transitional arrangements require an absolute commitment to democracy and non-violence. That is the principle underpinning everything that we are about, the basic building block of the process. That was the demand in Omagh in the aftermath of the bombing, and it was the demand of the overwhelming majority of our people. To me, it is self-evident that having a military

wing is the antithesis of a commitment to democracy and non-violence. This is not a Unionist point of view, it is a tenet of civil society and the basis of a democratic society, and you cannot go forward claiming to have a commitment to democracy and non-violence and yet having armed military wings.

So how do we move forward? It seems to me that steps have to be taken. We have waited 20 years for what we have now, and the demand to rush forward has severe risks. What are a few weeks here or there after these 20 years with all the atrocities, hurt and pain that were mentioned this morning? It seems to me that on decommissioning, for example, we have Gen de Chastelain sitting with his commission and getting very little co-operation, as I understand it. It seems to me essential that we move forward and at least agree the mechanics of decommissioning, some form of stocktaking and a timescale.

I do not think that anyone on this side of the House believes that all the guns and ammunition can be delivered on day one in one fell swoop. But look, for example, at the negotiations between the Soviet Union and the United States on nuclear disarmament: the Strategic Arms Limitation Treaties I, II and III — a step-by-step process. Taking one step at a time and making progress with an agreed programme is the very least that the people of Northern Ireland expect.

**Mr Roche:** There is a difference between requiring terrorist organisations to surrender their arms to a lawful authority and international negotiations between states about reducing nuclear arsenals. However horrible nuclear arms are, the two are not analogous. To suggest that you can proceed in the same way with a terrorist organisation as with Governments is to legitimise the very people who are holding the terrorist arms.

12.30 pm

**Mr McGimpsey:** May I thank Mr Roche for sharing that with me. It seems that he does not want any progress in this area. *[Interruption]* It appears to me that what we were listening to yesterday was justification for a situation in which there is no progress. All we heard yesterday was a particular interpretation of the Agreement. I do not care what the analogies are. All I am interested in is the end result, getting through this process, getting us into a situation where we can live in peace, die in peace and rest in peace. I am prepared to be pragmatic; I am prepared to take chances; and I am prepared to accept and be aware of the difficulties that the other side has with this.

In conclusion, if Omagh is to mean anything it must mean that we deliver somehow or other practical steps and in pragmatic form the Agreement for which the overwhelming majority of people voted. I am a



democrat, and as a democratic politician that is the imperative that I will work to.

**Mr Gallagher:** I rise from a side of the House which has never been ambivalent about violence. We have always confronted violence from every quarter — and it has come from many quarters — and we continue to confront and challenge the attacks on human rights and assaults on the human dignity of individuals in this community.

The bomb in Omagh did not discriminate on grounds of nationality, tradition, age or gender. We saw that in the trail of suffering from Barcelona to Buncrana to Omagh and beyond. It extended to my own constituency of Fermanagh and South Tyrone where we lost one of the youngest victims, Maura Monaghan, together with her mother Avril and her two unborn children and Philomena Skelton who lived with her husband Kevin in Ederney, County Fermanagh.

I wish to extend my sympathy to the families of the 29 people who were killed and to all of those who were injured, to those who witnessed the aftermath, to those who worked with the injured and to all of the people of Omagh.

The heads that planned the bombing, the hands that put the bomb together, those who delivered the deadly cargo and so callously walked away in the sunshine were all driven by some savage hatred which obliterated their humanity.

**Mr Carrick:** Without deflecting from or taking away from the tragedy and the grief and the horror of the Omagh bombing, would the Member agree that but for the grace of Almighty God further human tragedies of similar proportions could have happened in Banbridge and Portadown, not to mention towns like Moira, Markethill and Newtownhamilton? Would the Member also agree that traders and residents who have suffered devastation of their property and livelihoods at the hands of the barbaric Irish Republican war machine are also deserving of our support at this time as they try to re-establish their lives, reconstruct their homes and reinstate their commercial businesses?

**Mr Gallagher:** Coming as I do from Belleek, which in recent months has also suffered a terrorist attack, I am well aware of the difficulties that flow from such an attack, and I understand what my colleague is referring to.

When I gave way I was making the point that a great deal goes into putting hatred into the hearts of individuals who are capable of carrying out this kind of atrocity. Hate-filled words have had no small part to play in making minds capable of doing what was done in Omagh. Yesterday and today we have again heard hate-filled words, words of accusation and words of

suspicion. As public representatives in the Assembly, we have a responsibility to use words wisely.

The people who voted for the majority of Members assembled here do not want to see this chance for an end to the conflict squandered. They want to see real efforts made to lay to rest and put behind us the bitterness, the hatred and the divisions. That is our task, and the building of that new society is the only fitting monument to the people of Omagh.

**Mr Gibson:** I wish to thank, first of all, those who have sincerely brought condolences. On behalf of my immediate family, I want to say how much we appreciate the deluge of sympathy that has come from all over the world. We, and, I am sure, the other 28 families that are grieving, very much appreciate that massive outpouring of sympathy. It has certainly helped those families, and it has been a comfort and a balm at a time of deep agony and grief.

We in Omagh were overcome by that immense sympathy, and we feel we have to respond, in a reasonable way, to that genuine outpouring. We should recognise that we have terrible trauma yet to come because, while we have buried our dead, there are 30 people in hospital who are maimed, disfigured and physically and mentally scarred. They have to be welcomed back into our community, to be re-integrated, accommodated and assured of a quality of life that is the best that we can provide. That is one of the long-term demands that we will have to meet in future.

The Omagh atrocity was of an unprecedented nature. We have heard much this morning about the heroic efforts of those who came and made a contribution to the saving of life. It was immense, but perhaps one verse of a poem that was sent to me — ‘The Bomb in Omagh Town’ — in its simple words says it all:

“The many folk who rallied round and gave heroic aid —  
The memory of their efforts from our minds will never fade.  
They worked so hard for others, in a true, unselfish way.  
What would we have done without them on such a dreadful day?”

The police, the Army, the doctors, the nurses, the bus drivers and the taxi men: they all helped — and even someone called Joe. I heard him say on the radio, in a very simple way,

“The house gave a terrible shake. I knew something desperate had happened. I put on me and went and done what I could.”

An Omagh man, in his own way, understating the heroic efforts which every person in the community made.

I propose that, as well as the obvious people who will be truly and genuinely rewarded, everyone who helped in the aftermath of that atrocity should be given a special citation. They should all be brought together, as part of the process of mourning and healing, from



humble Joe, who put on him and did what he could, to the skilled surgeons who saved many lives, and acknowledged in a noteworthy way by some royal personage.

It was very important that no one died in Omagh because he was unable to get to the emergency services and also that the special efforts made by staff trained to deal with catastrophes — and we have had many, unfortunately, in our area — were successful.

John McKinney's claim to fame — or notoriety — is now that he has probably turned out to be the best disaster manager. He has suddenly risen to fame because of the important contribution he made in successfully managing the catastrophe, where the number of deaths could otherwise have run to hundreds rather than tens. All those people are to be commended, be they helicopter pilots, the taxi men or whoever. Unfortunately, another tragedy occurred outside Knock Presbyterian Church when one of the ambulances which was dashing was involved in an accident. A family was enjoying its in-car entertainment and did not hear the screaming sirens.

We are mindful in Omagh, in the midst of our grief, that others are left behind. And I think particularly today of someone else whose world has fallen apart: Esther Gibson is dead and buried, but her boyfriend is left behind. That reality has yet to be dealt with.

I listened intently this morning to glean how people from outside the area view the atrocity. Of course the atrocity in Omagh was different, not just because of its scale, not just because of the horrific havoc that resulted and not just because the emergency services did such a brilliant job — it was different too because it internationalised terror.

The business of terrorists is terror, but what happened in Omagh was not like the Shankill bomb, which was equally horrific. People from Spain and from another jurisdiction on this island also suffered. Suddenly the grief and the agony that the people of my constituency have been suffering for 28 years, not all of them Unionists or Protestants, some of them Roman Catholics, was discovered.

And when I look down through this photograph album that has been given to me, I get some idea of the extent of that horror in previous times. These are the photographs of 24 tombstones in a little graveyard outside Castlederg — each one a memorial to the terror of the IRA. That is the reality of the pain and the suffering.

I would not want to forget in the middle of this atrocity those who are perhaps sitting, listening to this so-called debate. As far as I am concerned, this is not a proper debate. We are simply stating the facts of terrorist horror committed not just in the constituency

that I represent, but in every constituency in Northern Ireland. So terrorism has been exposed on the international scene for what it really is.

*12.45 pm*

Yes, we will rebuild Omagh. This is the twenty-ninth time the town has been bombed, so almost every building in Omagh has been rebuilt, including the courthouse. In fact, the scene of the greatest devastation of all was all the new-build. The shops that are devastated now were rebuilt only recently.

We will rebuild Omagh. But first of all, we still need time to grieve, to mourn, to recover and to welcome home and reintegrate those who have suffered mental and physical scars. But we want to go further than that. As part of that rebuilding, we want to make sure that there is, somewhere in this province, a scene, a pastoral scene, an idyllic scene, where the people of Northern Ireland can come for those moments when they wish to reflect, mourn or grieve in privacy. We are country people, and we do not live with our nostrils in a microphone. We want to bury our dead with dignity and solemnity and mourn in private. Grief is not something that we wear on our sleeve.

We had many important visitors to Omagh. We had presidents, princes, party Leaders and all the rest. They brought one unfortunate thing to the scene. No sooner had they mouthed the words of condolence than they set about defending their political ideas. What is the relevance of the Belfast Agreement to a family in the midst of deep agony and grief? Is it relevant when a family is mourning?

We had to castigate the media from across the water for a despicable programme broadcast on Carlton Television. I have taken that up with the company, and I hope that it will compensate for that dreadful programme by helping us to make a video that will present a more positive picture of Omagh, nationally and internationally. But I must also pay tribute to the local media. They have been kind and sensitive to us all, and we should not brand all the media with the sins of one particular programme.

We met Mr Jim Lyons, special adviser to President Clinton, on the Tuesday before the President's visit, and I made one appeal to him. It was not for money. Some people were so crass as to say that we wanted the mighty American dollar. You can not measure the pains of the bereaved in financial terms. I asked him to use his influence, as a representative of the most powerful nation in the world, to persuade the South of Ireland to act as a mature political state and not to hide the terrorists that perpetrated those dreadful deeds, not to provide an operational headquarters, and not to give them training grounds or allow the arms dumps to exist.

The greatest tribute to the people of Omagh would be for the two Governments to take responsibility for ensuring that democracy can operate freely, and that means that we must have good order. We must remember that the business of terrorists is terror. The hoax bomb warnings that we have had in Omagh are also part of that terror. Last Saturday, we had two of them, which badly disrupted business in our town. We will not be able to rebuild our businesses if the terrorists continue to terrorize us.

**Mr McGuinness:** Go raibh maith agat a Chathaoirligh. As an elected representative from a neighbouring constituency, of Mid Ulster, I should like to express my condolences to Mr Gibson, to all the other people who have lost loved ones and, indeed, to all those who were so grievously injured in the bomb explosion in Omagh.

It was a terrible event. It was a shocking event. It was an event that had a very deep impact on every single Member of this Assembly — there is no question about that. It has been described as a watershed, and I believe that it was a watershed. There can be no doubt that the people who planted the bomb in Omagh and who described themselves as Republicans set out to destroy the peace process. All they have succeeded in doing is destroy themselves.

Within hours of the bomb exploding, Sinn Féin made its position clear through its party Leader. We condemned it — unequivocally — and we called on the bombers to stop. We called on the Republican and Nationalist people throughout the island of Ireland not to support them but to challenge them. And they did, and in doing that, they brought them into a position where they were compelled to call a cessation. It was the weight of Republican opinion which brought about this cessation; these people have enough intelligence to know that there is no way that they can hope to succeed without the support of the people.

The bomb explosion in Omagh — that sad event — strengthened the hand of the people who support the Agreement. My assertion of this fact in the debate yesterday was challenged by some members of the Democratic Unionist Party, who said that it may have increased support for the Agreement in the Nationalist community but that it did not increase support in the Unionist community. I dispute that. The support within the Nationalist community for the Nationalist politicians who supported the peace process was almost total anyway, and I am convinced that, in the aftermath of Omagh, more and more Unionists recognised that the only way forward was to move forward in agreement.

Sinn Féin is very conscious of the implications of the Agreement and what we have committed ourselves to. Indeed, there is a declaration of support at the beginning of the Agreement which says that the

participants in the multi-party negotiations believe that the Agreement offers a truly historic opportunity for a new beginning.

Sinn Féin, the representatives of Irish Republicanism, have come to this Assembly for a new beginning. The tragedies of the past have left a deep and profoundly regrettable legacy of suffering. We must never forget those who have died or have been injured and their families, but we can honour them by making a fresh start whereby Members firmly dedicate themselves to the achievement of reconciliation, tolerance and mutual trust and to the protection and vindication of human rights for all. Sinn Féin want to be a part of this fresh start.

Listening to the debate this morning it is obvious — and it is also understandable — that people have a difficulty with Sinn Féin's assertion that we want a fresh start. I understand that. I know it is difficult for Unionists of all descriptions, for the Democratic Unionist Party, for Mr McCartney and for the Ulster Unionists. I understand that completely.

The people we represent have difficulties also. Unionists deeply suspect that we are not genuine and not for real. The people whom we represent are also suspicious of Unionists and the British Government. They have lived in a state for over 70 years in which, they believe, they were treated as second-class citizens, treated unjustly, with inequality, discrimination and domination.

I am not recriminating. We have to deal with these realities. Unionists point out my responsibilities to me and urge me to face the difficulties that Unionism has. I am prepared to do that. But I appeal to Unionists, including those in the Democratic Unionist Party, to face up to the reality that they too must look at us as the elected representatives of many tens of thousands of people living in this state who also want to see a new beginning. The question now is whether or not we can bring that new beginning about.

The decommissioning issue has been raised to assert that Sinn Féin is not serious. We have moved on that issue because our aim is to take all the guns — British and Irish — out of Irish politics. This morning we have heard speech after speech about the damage that IRA guns have done over the last 30 years, and the IRA has been named on countless occasions.

People have made sweeping references to Loughinisland and Greysteel. Nobody mentioned "bloody Sunday". Nobody talked about the damage caused by British guns. Nobody talked about the Dublin/Monaghan bombings. Nobody talked about the children killed by plastic bullets. I am not getting into the politics of "whataboutery". I just think that we need to have an honest debate.

There has been much injustice in the past. We can, if we wish, rake all of this up for the next five months, five years or 50 years. If we do that, we are not going to make a new beginning and we are going to fail the overwhelming majority of people on this island who have placed so much faith and trust in us, as their political leaders, to find a way out of the morass that we have all been in during the last 70-odd years.

I believe we can succeed. Yes, there are people out there who describe themselves as Republicans and who may attempt to continue to destroy the peace process. I believe they will fail miserably. I believe that many of them now know that. There are Unionists out there who will also try to destroy the process because — and we have to be very clear about this — it is not only guns and bombs that kill: words can kill also.

Our responsibility is to give political leadership, not just to the people of Omagh, but to the relatives of the “bloody Sunday” dead and to the relatives of those people who were killed on the Shankill Road, in Enniskillen and in other attacks right throughout the course of the last 30 years. People have lived through all of that because politics have failed.

We are here for a new beginning. We are deadly serious about the search for peace; we are deadly serious about the search for justice; we are deadly serious about the search for equality; and we are deadly serious about the search for freedom. Either we can rise to the challenge or we can fail. We in Sinn Féin are geared to succeed and to make the Agreement work — and that should be the bounden duty of every serious elected representative in this room.

*1.00 pm*

**Mrs E Bell:** I am conscious that a number of things have been said that I do not want to repeat. However, I do want to join with others in extending my sympathy to Mr Gibson, his family and the people of Omagh.

Dr Paisley commented earlier that today’s debate was too late. Perhaps I can give some words of comfort. My church and a lot of the people who were relatives and victims in Omagh will be celebrating what is known as a “month’s mind”. There will be services today in Omagh, and this debate should act as another show of respect, sympathy and remembrance for all the people, Catholic, Protestant and others, who lost their lives that day. So I find this debate timely.

There is not one Member who will have difficulty remembering, as with countless other tragedies, where and when he first heard of the Omagh bombing. Like Mr McElduff’s, my birthday is on 15 August, and I was having a birthday meal in Tenerife when the news came out on CNN. My birthday will never be the same again.

Northern Ireland has suffered many tragedies: McGurk’s Bar, the Shankill Road — and I make no apology for repetition because we should never forget even one — Darkley, La Mon, Loughinisland, et cetera, and there was the murder of the three Quinn brothers from Ballymoney as well.

My personal memory is of a narrow escape from the Abercorn explosion, where friends, whom I was supposed to meet, and their children were injured. One was a 10-year-old boy who now has a mental age of three because of what happened on that day. The horror and fear came back to me, and I thought then that it would never happen again — but I was wrong.

It is horrifyingly sad to have had so many such tragedies time and time again, and I can only repeat the hopes expressed by many of the grieving relatives and victims of Omagh that this must be the last. As has been mentioned in other debates, if relatives thought their tragedy would mean the end of all killings, they would be able to feel that their suffering was not in vain. We must always remember the victims of all tragedies and try to make sure that they are the last.

To achieve this, the people of Northern Ireland should consolidate their disgust by saying loud and clear to the people still engaged in violence that enough is really enough. The Assembly should support this by Members working together in a constructive way that would help to stabilise and create the conditions that would result in the reduction and eventual eradication of sectarianism and all its ramifications.

As a peace activist and community worker I have seen at first hand how beneficial attempts to encourage inter-community and cross-community contact in a generally beleaguered community can be. There can be direct improvement in mutual understanding and tolerance of diversity, and that could be another avenue of work for the Assembly.

It was clearly demonstrated at Omagh that the men and women of violence are no respecters of age, gender, religion or tradition. We must therefore build institutions and systems that will ensure that violence is met with severity from all sections of society — from the community to the Assembly. Words have never been enough. Language can be as violent as any actions, but our words of sympathy must be linked to constructive support, and support is urgently needed in Omagh today.

A proper representative Assembly could lead the way and show everyone that the only way to stop more Omaghs is by people working together in all aspects of government and daily life. In that way we could sustain a safe society for everyone. We were under no illusion on 10 April when we signed the Agreement that the violence would end.



We had only to look at places like South Africa and the Middle East, where violence actually escalated after such agreements. But that should make us more determined not to indulge in saying "Oh, it is never going to happen, peace is never going to happen." It should make us more determined that violence will stop and that we will have peace. We have a chance of a new beginning, and we must grab that chance and end the nightmares that have set us against each other for far too long.

The political process that we are now developing will, I hope, create conditions that will further and develop a real peace process. We owe that to all the victims and their relatives whom we have talked about this morning, to those victims of other tragedies and to future generations.

I finish by expressing my appreciation to every person who has given assistance in the aftermath of atrocities over the years — the hospitals, the ambulance services, the Royal Ulster Constabulary, the Fire Authority and the many others.

Omagh brought all traditions together: people from the North and the South and from Spain were brought together in grief and friendship. True reconciliation was portrayed at every funeral. Let us hope that the war is really over for all of us and that we can go forward together having learnt from the past. The Alliance Party will certainly play its part in this process and hope that progress will be made. Let peace begin. Indeed, I would ask everyone to say to himself "Let peace begin with me."

**Mr C Wilson:** What happened at Omagh was an atrocity and an obscenity by anyone's calculation. As reports started to filter through, one became aware of the enormity of the incident and the scale of the carnage — reports of men, women and children, grandmothers, an expectant mother and two unborn children. Graphic descriptions by eyewitnesses and harrowing scenes of dismembered pieces of bodies being washed down the High Street in Omagh as a result of a burst water main will remain with many of us for a long time, and undoubtedly with the people of Omagh for a lot longer.

In the aftermath, and given the anger and the sense of revulsion that swept across the entire United Kingdom, the Irish Republic and, indeed, the rest of the world, one would have thought that the window of opportunity — although opportunity is perhaps the wrong word to use on this occasion — would have been taken by the British and Irish Governments, undoubtedly with full world-wide support, to implement a new root-and-branch approach to security. The incident itself was obscene, but the response of the two Governments who are responsible for law and order on this island was also obscene and totally

inappropriate. That window of opportunity was squandered.

Not for the first time was the aftermath of carnage and death, instead of uniting all believers in democracy and the rule of law and order, used in a very wrong manner. Not for the first time was it used to drive forward what is referred to as the peace process, a process that has been driven by terrorism and fuelled by concessions to terrorism.

I back that suggestion up by asking Members to remember that at every stage in this process, when those who have been engaged with Sinn Féin/IRA have dragged their feet or refused to pay the instalments required of them, there has been a terrorist incident.

One can go back to Canary Wharf, to the Baltic Exchange and, indeed, to the incident that brought the current negotiations into being — the murder of two community policemen in Lurgan. There is a history, a catalogue of events that demonstrate that what I am saying is right.

For 25 years the people of Northern Ireland resisted the suggestion that the way to peace was to pay the price required by the terrorists. Indeed, on the radio this morning a journalist asked why this Assembly could not have happened 25 years ago. Many watching the television reports of these proceedings see a veneer of democracy, but it is only that.

There is a belief that Members gathered here have a similar standing and legitimacy to be here today. The reality is that that is not the case. The reality is that we have a role to play. We have to hold the line and say that there is a difference in our values. There are those who come into this Chamber armed only with reasoned arguments and there are those who possess arsenals capable of replicating Omagh many times over.

It would be sad if Omagh were not to prove a turning point in the history of this province, a time when the days of the men of terror were gone for ever. The reality is that its legacy will be two-tier terrorism, and it is a disgrace that the British Government — my Government — have allowed this to happen.

There is now a belief in some circles, and indeed it is held by some in this Chamber, that as my Colleague, Mr McCartney, has said "If you are a good terrorist and support the peace process, any of these actions that are to be taken, all of this security that has been or will be implemented, will only be directed against the bad terrorists, against the Real IRA."

The truth is that the Real IRA's true description should be "disgruntled members of the IRA". The explosives that were used in the bomb and the detonating equipment came from arms dumps which members of the Ulster Unionist Party and others see as



the subject of negotiation. Is it not a disgrace that there are parties in this Chamber who condone the notion that it is legitimate for IRA/Sinn Féin to retain those weapons? We, of course, are aware of the reason for this complicity — Mr Adams, Mr McGuinness and their colleagues are vital to the peace process.

The indictment today has to be against the security forces. Members will recall that after other atrocities and incidents at least we always had — even though it may have been insulting in some cases — the cosmetic announcement that a large quantity of explosives or guns had been found by the Garda or the Royal Ulster Constabulary.

*1.15 pm*

To my knowledge it did not happen on this occasion because it would have upset the position of Mr Adams and Mr McGuinness in the peace process. So it was politically expedient not to allow the security forces to go and collect the weapons and explosives, even though they know where they are in most cases.

The people of Omagh have our heartfelt sympathy, and we are greatly indebted to all those who were involved in the security and emergency operations.

I have a view about the future, and it involves our contributing a three-point plan. First, we, as democrats, must continue to insist that the only people entitled to take part in governing this province are those who are solely and totally committed to the democratic process. We cannot see the process perverted any further. We must try to reclaim the ground. Secondly, the police and the authorities of law and order must have the shackles of political expediency removed from them. They must be allowed to deal with all terrorists, real or imaginary. And thirdly, the people of Omagh need the assistance and support of the Assembly to help rebuild their lives and their town — in this they will not find us wanting.

**Sir John Gorman:** On yesterday's 'Thought for the Day' some Members may have heard Fr Michael Collins — quite a name — quoting from a poem by Kipling:

"The tumult and the shouting dies.  
The captains and the kings depart.  
Lord God of Hosts, be with us yet,  
Lest we forget, lest we forget."

I come from Omagh and was born in Mullaghmore. My father went there from the Royal Irish Constabulary in Dublin, and my first education from the age of five to seven — in those days we did not have pre-school education — was at the Loreto Convent, where I was taught by Mother de Sailes. It was she who taught me not only how to read but to love my religion and to have a feeling of self worth. It is that sort of spirit which is alive and well today in Omagh, a town with extremely fine people who live together in peace and who think well of each other.

At the beginning of my time in the Northern Ireland Forum for Political Dialogue — I called my first day "Capt Mainwaring's day" — I was interviewed by a lady from Dublin who asked me what I thought of Mr Gerry Adams. I told her that I admired Mr Gerry Adams, but she did not record what I went on to say. I said that I admired him particularly for his leadership and for the discipline which he exercises on Sinn Féin and its military outlet, the IRA. I have met Mr Adams only once before when he came to a youth forum chaired by me as part of my ideas for the Forum, and he behaved impeccably. He had every opportunity to make political points, but he did not do so, so I thanked him for that. Now is the chance for Mr Adams to show that leadership and discipline which I know he is capable of. Mr Adams brought the Semtex here. What about a big bang to get rid of as much of it as the Member can get hold of? It could make a huge difference.

As well as being an Assemblyman, I am the head of the Order of Malta in Northern Ireland. Three of our ambulances attended Omagh, one at great haste from Monaghan. They behaved impeccably. They did not want to be mentioned here today because the Order of St John, the Ambulance Service and all the other people involved in first aid activity did wonders, and thus did not want exceptions made. But I am so proud of them that I feel I must mention them.

One of our first-aiders, Donna-Marie Keys, is still lying in intensive care in the Royal Victoria Hospital with 60% burns. She was not there with the ambulances that day but with her fiancé and little flower girl. They took the full force of the bomb. Her fiancé was badly burned and she was desperately badly burned. She is still alive, just hanging on. Her parents, Malachy Keys and his wife, were there and they said to me "Please, for God's sake, keep this Assembly going; it is our only hope now."

Surely it should be possible for the wonderful co-operation shown by all parties at Omagh, and which has been so well and touchingly described today to be kept going in other parts of the province. We have heard from people such as Joe Byrne, Derek Hussey and Oliver Gibson what the people of Omagh need to give them a sense of belonging and the respect which they deserve, so we should do something about it.

One such thing would be the commencement of disarming somewhere where it could be seen to have begun. Disarming has become the touchstone of our future. We have heard about the pike in the thatch. Rust brings trust and confidence-building measures such as the reconstitution of the Royal Ulster Constabulary.

Each of the hurdles faced by the parties has been overcome. The Trimble/Adams meeting has taken place. Surely the last hurdle left is disarmament. Start

now, not in 2000. What is the need for explosives, when we have embarked on a peace process? What defensive quality has a bomb got? Let us stop dismissing the plea for decommissioning with weasel words like “word games” and irrelevance.

We had a really good day yesterday. There was no shouting; there was courtesy; reason ruled. If we can get rid of the bomb, we can achieve the wonderful future of peace, prosperity and pluralism, as advocated by the First Minister (Designate) and Deputy First Minister (Designate) yesterday.

**Dr Hendron:** I listened very carefully to Mr Gibson’s speech, and I was very moved. I sympathise with him on the slaughter of his niece. He made an important political point — that the Agreement would mean nothing to some families that he had spoken to. I understand that and respect his opinion, but there are other families who lost loved ones in Omagh, and families right across the North of Ireland who have lost loved ones over the last 25 years who do very much support the Agreement.

I believe that the future peace of Northern Ireland depends on the Agreement. I associate myself, of course, with those who have condemned what happened in Omagh, and I fully appreciate the suffering of the families who have lost their loved ones or had loved ones very badly injured. I have good reason to do so.

In a medical capacity, I have visited many homes over the years of people who have lost loved ones. Their suffering is every day of the week and every week of the year. I very deeply resent that young children have had to grow up without a father or a mother, usually without a father.

When all the tears and the funerals are over and the great and the good have gone, the families have to pull themselves together. So often have I seen the young people of West Belfast — 16-, 17- and 18-year-olds from the Falls Road and the Shankill Road — who have had their father taken away from them getting into trouble with the law. But I will not elaborate on that point.

I visited the Royal Victoria Hospital within a few days of the explosion, and I was horrified at the injuries that I saw. One Member referred to Miss Keys, the lady who had received such terrible burns. I spoke to her family; I also spoke to other families, and I can only say that I greatly admired the dignity which these people were showing.

I want to thank the doctors, nurses and all of the staff of the Royal Victoria Hospital whose expertise helped to save lives. I was struck by their praise for the staff in Tyrone County Hospital. Those people, who were badly injured and who were transferred to the Royal Victoria Hospital, could not have survived without the expertise

of Mr Pinto and all of the people associated with the hospital in Omagh — and I am referring to doctors, nurses, paramedics, cleaners, porters and everybody who got in on the act of helping.

In the aftermath of Omagh, where are we now? What sort of a society are we in? There is still violence. There is still sectarian conflict. I believe that it is the responsibility of this Assembly, by its example, to make sure that the two great traditions can work together for all the people and especially for the disadvantaged.

The First Minister (Designate) and the Deputy First Minister (Designate) have shown great courage and leadership, and people like Mr Ervine and Mr Adams have shown great courage and leadership. But I want to put down a marker. We are all opposed to violence, but it is a fact that on the streets of Belfast, people are still having their knees smashed; young people are still being ordered out of the country, and paramilitary organisations are still deciding when they can come back. It is humiliating for a young person or his family to have to report to a quasi-political office.

In making these points I want to make it clear that I am not pointing the finger at any Member of the Assembly or at any party. I listened carefully to what Mr McCartney and Mr Ervine had to say. Mr McCartney talked about the wicked terrorists and the good terrorists. He talked about the fact that this Chamber must undertake a rational, cold analysis. I agree that there should be a rational, cold analysis, but I hope that it will be based on the Agreement.

Mr Ervine said that what happened at Omagh was a watershed. He talked about moralists — and I agree that some people do see themselves as being on some sort of higher moral ground. They have a right, as Mr Ervine said, to challenge political opinions, but they do not have the right to rerun the referendum.

Some people seem to be begrudgers; they seem to resent the fact that there is a peace movement. We want all the paramilitary organisations to disappear off the face of the earth, but I sometimes wonder what certain politicians would do if that were to happen.

There have been many attacks on Sinn Féin, and, having fought Mr Adams at four Westminster elections, I am not a spokesman for that party, but I believe — and I do not mean this in any condescending way — that he has shown great courage and leadership. Let all of us in the Assembly resolve to work together for all of the people of both traditions so that our children and our children’s children can have a meaningful and worthwhile future.

**The Initial Presiding Officer:** We have come to the end of our agreed time. Many Members from almost all of the parties wished to speak in this debate to express their sympathies but did not have the opportunity to do

*Question put and agreed to.*

*Adjourned accordingly at 1.30 pm to a date and place to be determined by the Secretary of State.*

so. And people outside this Chamber should be aware of that.





# THE NEW NORTHERN IRELAND ASSEMBLY

**Monday 5 October 1998**

*The Assembly met at 2.00 pm (The Initial Presiding Officer (The Lord Alderdice of Knock) in the Chair).*

*Members observed two minutes' silence.*

## PRESIDING OFFICER'S BUSINESS

**The Initial Presiding Officer:** By virtue of paragraph 1 of the schedule to the Northern Ireland (Elections) Act 1998, it falls to the Secretary of State to determine where and when meetings of the Assembly shall be held. I have received from the Minister of State, Mr Murphy, a letter advising me that

"The Secretary of State directs that the Assembly shall meet at Parliament Buildings, Stormont at 10.30 on Monday 5 October until 6.00 pm on Friday 30 October."

It is also the responsibility of the Secretary of State, under paragraph 10 of the Schedule to the Northern Ireland (Elections) Act 1998, to determine the Standing Orders of the Assembly during the shadow period. The Minister of State, Mr Murphy, has further written advising me that the Secretary of State has considered and agrees to the proposal from the Committee on Standing Orders, set out in the letter of the Joint Chairman, Mr Cobain, to the Minister, dated 17 September 1998, that the number of seats on each Assembly Committee should be increased by one. The Secretary of State has therefore determined that paragraphs 15(2) and 16(2) of the Initial Standing Orders are amended to read as follows:

"15(2) Committees shall consist of not less than 10 and not more than 19 members and shall be such that, as far as is practicable, there is a fair reflection of the parties participating in the Assembly and that each party with at least two Members shall have at least one seat on each Committee."

"16(2) The Committee shall consist of the Initial Presiding Officer (who shall be Chairperson), the Deputy Presiding Officer and not less than eight and not more than 17 Members appointed by the Initial Presiding Officer, following consultation with the leaders of the parties of the Assembly, and shall be such that, so far as is practicable, there is a fair reflection of the parties participating in the Assembly and that each party with at least two Members, shall have at least one place."

Members should note that at this stage the rest of the Initial Standing Orders remain unchanged.

I have previously observed that the Initial Standing Orders give only limited guidance on the conduct of our business, both inside and outside the Chamber. In such a period of transition that may be inevitable, but it can lead to misunderstandings. In particular, the way in which the Initial Presiding Officer should conduct himself is rather ill-defined. I have two remarks about how I intend to interpret my role during my time in office.

I have decided to adopt the definition that was given in Speaker Lenthall's description of his duties:

"I have neither eyes to see, nor tongue to speak in this place, but as the House is pleased to direct me whose servant I am here."

For that reason I have not given, and do not intend to give, any interviews or comment on matters pertaining to the content of our business here. Therefore I am adopting the conventions that are often referred to as Speaker's Rules.

Having dealt with conduct, I shall now turn to rulings. The Committee on Standing Orders, under the joint chairmanship of Mr Fred Cobain and Mr Denis Haughey, was mandated by the Assembly to develop a comprehensive set of orders for the guidance and regulation of our work. Although those will not become our Standing Orders until they have been adopted by the Assembly and approved by the Secretary of State, I intend to use any agreement that is reached by the Committee on Standing Orders as guidance in interpreting the Initial Standing Orders. Of course, where there is a conflict, the Initial Standing Orders must prevail.

It may also be helpful if I clarify the role of some of the items which are being sent out to Members. Four sheets of paper went out to Members last Thursday by special delivery — the Order Paper for the upcoming Assembly sitting, the business diary for the following two weeks, the schedule of forthcoming business and the all-party notices. The Order Paper and the business diary speak for themselves. The forthcoming business paper lists only those upcoming matters which have been agreed to be tabled. If nothing has been listed under forthcoming business it should not be assumed that no business will take place on that day; it means simply that no business has yet been agreed for that day.

It is important that Members understand that the all-party notices are not only a way of communicating administrative arrangements from the Secretariat to Members. Members may also use them to communicate with each other. For example, a Member may sponsor a meeting in a Committee room, which is open to all Assembly Members. That could be included by advising the Second Clerk of the details in advance.

These four papers will continue to be sent to Members by special delivery on Thursday evenings.

Later this week, we hope to have available a first version of the Assembly Members' Handbook. This will be in the form of a loose-leaf binder so that the information contained in it can be updated regularly. Feedback on all this material, including problems with arrangements for delivery, would be most helpful.

At the last sitting of the Assembly a Shadow Assembly Commission was elected, and it has met on three occasions. To enable Members to follow the Commission's deliberations, I have, with the agreement of its members, arranged for a copy of the minutes of each of its meetings to be placed in the Library. It is intended that this practice will be continued. When the Commission judges that there are substantive issues which ought to be brought before the Assembly, a statement will be made in the Chamber.

Following the terrible events in Omagh, the Secretary of State appointed Mr John McConnell to assist, on behalf of the Government, in the process of rebuilding lives and property so terribly damaged. The Assembly's concerns demonstrated in the debate at its last sitting have been noted, and Mr McConnell has produced a brief note for the Assembly on progress to date. He has forwarded this to me, and I have placed a copy of it in the Library.

## ASSEMBLY: COMMITTEES ON STANDING ORDERS AND ON DEVOLUTION (MEMBERSHIP)

### *Motion made:*

That the composition of the Committee on Standing Orders and the Ad Hoc Committee on the Procedural Consequences of Devolution be amended to comply with the revised Initial Standing Orders issued by the Secretary of State by adding to each of their numbers one member of the United Unionist Assembly Party — [The Initial Presiding Officer]

**The Initial Presiding Officer:** I advised the Assembly that the Secretary of State had determined to amend paragraph 15(2) of the Initial Standing Orders by increasing the upper limit of membership from 18 to 19, and paragraph 16(2) by increasing the upper limit of membership of the Committee to Advise the Presiding Officer from 16 to 17. Since the responsibility for decisions about the latter rests with the Initial Presiding Officer, I have decided to invite the United Unionist Assembly Party to nominate a member to that Committee. The motion, which is self-explanatory, permits the newly established United Unionist Assembly Party to be represented on the Committee of

Standing Orders and the Ad Hoc Committee on the Procedural Consequences of Devolution. It seeks the Assembly's agreement to this course of action and requires a simple majority.

**Mr Maskey:** A Chathaoirligh, Sinn Féin will support the motion on the basis that this is a transitional arrangement which will not bind the Assembly proper to any particular course of action, and I have already discussed this with you, Mr Initial Presiding Officer. While we will always support the principle of proportionality in all matters relating to the work of the Assembly, we will, nevertheless, want to ensure, because of the unique arrangements and procedures which apply here, that there is no scope, by default or otherwise, for abuse of the system here in terms of cross-community representation, parallel consensus, or, further down the line, the d'Hondt system. We support the motion only insofar as it applies to these Committees which will have a very short lifespan.

**Rev Dr Ian Paisley:** The view of the Democratic Unionist Party is that this is natural justice — justice being seen to be done. If some Members are prepared to try to deny the rights of other Members to serve on Committees in accordance with party strengths, my party will contest that matter hotly with them. Every Member here should be duly represented on the Committees of the House.

**Mr Haughey:** The composition of the Committees which will be set up after the Assembly moves from its shadow form will be based on a completely different procedure from that adopted here. The Committee on Standing Orders was aware of this when it made this proposal.

*Question put and agreed to.*

### *Resolved:*

That the composition of the Committee on Standing Orders and the Ad Hoc Committee on the Procedural Consequences of Devolution be amended to comply with the revised Initial Standing Orders issued by the Secretary of State by adding to each of their numbers one member of the United Unionist Assembly Party.

## PROCEDURAL CONSEQUENCES OF DEVOLUTION

**Mr McFarland:** I beg to move:

That the Assembly takes note of the interim report prepared by the Committee on the Procedural Consequences of Devolution.

At the meeting on 14 September 1998, the Assembly agreed to the establishment of an Ad Hoc Committee on

the Procedural Consequences of Devolution. The terms of reference of the Committee required it to

“consider the procedural consequences of devolution as they are likely to affect the relationship between, and working of, the Northern Ireland Assembly and the United Kingdom Parliament, and by Tuesday 6 October to submit a report to the Assembly which, if approved, will be forwarded to the Procedure Committee of the House of Commons”.

The Committee, in essence, was tasked to consider relationships between Westminster and the Assembly and, in particular, how procedures at Westminster may have to change to reflect the new arrangements here. The deadline of 6 October was set by the Assembly to comply with a request from the Procedure Committee of the House of Commons that we present a report to it by 9 October. The Committee has met on four occasions, on the first of which I was elected Chairman.

There are a number of issues upon which the Committee will seek to develop a view. These include the roles of the Northern Ireland Select Committee and the Northern Ireland Grand Committee. Under the arrangements for devolution, many matters which currently come before these Committees will come before the Assembly. This will have a knock-on effect on the workings and procedures of those Committees — clearly, something that this Committee will wish to consider.

Next, we must examine the procedures that relate to parliamentary questions.

*2.15 pm*

How many of you will be aware of the 1923 ruling by the Speaker at both Stormont and at Westminster which stated that matters devolved to the Stormont Parliament should no longer be addressed from the Floor of the House of Commons because the Ministers responsible for such matters were in the Stormont Parliament? Should this ruling continue under the new arrangements?

The question of the proper scrutiny of public expenditure in the Northern Ireland Departments is overseen, at the moment, by the Public Accounts Committee at the House of Commons. If such matters are devolved to Ministers and to this Assembly, there may be a case for having a separate Public Accounts Committee in Northern Ireland answerable to the Assembly. These are matters that are likely to have a knock-on effect on how Westminster does its business.

There are different views on how European legislation should be dealt with. Currently it comes forward to Parliament, which legislates on behalf of the United Kingdom. Should that continue or should the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly look at the European matters on their respective Floors?

There is also the question of the role and views of Northern Ireland Members of Parliament. The famous West Lothian question has been raised by Tam Dalyell, the Member of Parliament for West Lothian, and asks whether Scottish Members of Parliament will have the right to consider and vote in the House of Commons on matters that pertain to England when English Members of Parliament will not be able, after devolution, to discuss matters devolved to Scotland. If that principle were extended to Northern Ireland, it would clearly have an effect on what happens at Westminster.

The question is how to delineate the responsibilities of the Secretary of State, who will retain responsibility at Westminster, and the authority of the Assembly, and again there are ramifications on how Westminster is likely to do its business.

The next stage is for the Procedures Committee to consider some complex oral evidence and seek guidance from the Standing Orders Committee, constitutional lawyers and the Procedures Committee at the House of Commons itself. Initial discussions with the Procedures Committee shows that it would accept comments received by early November. The Committee is therefore seeking to renegotiate the deadline because of the complexity of the issues involved and the amount that Members need to learn. Although we have Mr McGrady, Mr McCrea and Mr McCartney, who are either serving or former Members of Parliament, and although I spent three years as a parliamentary assistant at Westminster, there are many members of the Committee who are not familiar with how Westminster operates. There is also uncertainty about the Bill. Many clauses in that Bill may be changed completely by the time it comes in to law, so there may be ramifications there and, indeed, for the inclusive nature of the Assembly's Standing Orders. There are three parts to this question: first, what will the Bill eventually say; secondly, what will the Assembly's Standing Orders say; and, thirdly, how the Committee will view changes to Westminster's role.

There is also curiosity about how the proceedings in the Scottish Parliament and the Welsh Assembly will operate. They will be different and, most importantly of all, they have not yet been elected. I understand that various teams have been liaising with the Cabinet Office to produce outline Standing Orders for them so that when they come into being, they will have something on paper. Clearly, because of the knock-on effects, it is likely that all three devolved institutions will want to have similar relationships with Westminster.

There are major constitutional implications, and the Committee believes that it would be wrong to rush its conclusions. The Committee is, therefore, seeking the leave of the Assembly to continue its work for a further



month and report to the House by 6 November. I hope that the interim report has given a flavour of the challenge faced by the Procedures Committee and that an extension will be permitted.

**Mr P Robinson:** I want to make several comments as a preface to my remarks on this report. The first is that there are some bad habits creeping in to our procedures. I did not receive a copy of the report until this morning when I arrived in the building and made an effort to get it myself. Any report which is open to debate and amendable should be with Members well in advance of our session.

I appreciate that the Committee had a deadline to meet, but I am sure that its Members were not working over the weekend, and presumably they had completed their task — in as far as it went — before the end of business on Friday. It would have been helpful if some way had been found to have it with us on Saturday. It had still not arrived when I left home this morning, and I now find myself having to speak on a report of which I have been able to give only a cursory look. I make that point as, I hope, a helpful criticism.

Secondly, I note that this is the second time that the Assembly has delegated a task to individuals or to a Committee, and it has not been fulfilled. I understand that this is a complex subject and that some Members will have to read themselves into it and become more acquainted with the issue, but no matter how many Committee meetings it takes, there is a duty on the Committees and on the First Minister (Designate) and Deputy First Minister (Designate) to comply with the Assembly's requirement and provide a report by the stipulated day. In saying that, I have no doubt made myself universally unpopular with colleagues in my party and in other parties who will, of course, indicate how much work has been done on that Committee.

Where a task has been set it must be fulfilled. Having said that, I support them in their desire to complete the job, and I hope that it will be fulfilled within the extended period. I want to encourage them. This is a part of the United Kingdom which has an elected body, and it is important that we play our full part. We should not — and I ask Members not to get to their feet on this one — become territorial on these matters whether we are in central government, regional government or local government.

We should not forget that our main purpose is to provide a service for people. If we say that we are not going to provide the information that people may need to do their job, then, ultimately, our constituents will suffer, and if Members of Parliament require information relating to devolved matters, we should not reasonably withhold it.

There is currently a procedure in the House of Commons whereby if I put down a Question, written or otherwise, for a Minister on a matter which might be the responsibility of, say, the Housing Executive, the Minister, although not immediately responsible, may, after speaking to the Chairman of the Housing Executive and obtaining the answer, place it in the library and thus make it available for all Members of Parliament.

Equally, a devolved Minister may feel that he is directly responsible to this Assembly — and so he or she would be — but if a Member of Parliament at Westminster wanted to have some information about a road scheme in Northern Ireland, it would be unreasonable for that Minister to refuse to tell him because he was not an Assembly Member. The answer should be provided through the Secretary of State, who can either reply directly to the Member or place the answer in the House of Commons' library as a response from the Minister in Northern Ireland's devolved Government.

We should remember that, ultimately, Ministers in this Assembly have a responsibility for whatever duties they carry out, and they should be answerable to the people. If somebody at Westminster feels that they have a pertinent question, they should have the right to ask it and get an answer.

I am sure that we in the United Kingdom family will want to strengthen our relationship with Westminster and with the United Kingdom as a whole, rather than try to put a wall around our procedures here and simply say, "We are answerable only to this Assembly and to no one else."

**Mrs Nelis:** Thank you, a Chathaoirliogh. Part of the The Ad Hoc Committee's terms of reference was to comment on the press notice that was issued by the Procedure Committee at Westminster. It is premature for the Ad Hoc Committee to try to address the Procedure Committee's comments. The Chairman of the Ad Hoc Committee has said that the task of trying to comment on the procedural consequence of devolution presented great difficulties for the majority of Members. The Ad Hoc Committee was not initially in possession of all the necessary information. At the outset it was not in possession of any information at all. There were also problems due to Standing Orders not being completed.

It is perfectly understandable that the Ad Hoc Committee has not completed a report on its comments. The Assembly will have to take note of the procedural consequences when the North/South bodies are set up and the Assembly is directly engaged in a relationship with Dáil Éireann at Leinster House.

**Mr McCartney:** Mr Robinson spoke about "a report". In the words of Humpty-Dumpty, a report can



be anything you want it to be. This report does nothing other than set out the problems that faced the Committee from day one.

The Committee could have reported by any date. It could have submitted a report stating "We have nothing to report". It could have said, "On the basis of the information that is currently available to us, it is impossible to make a report that would in any way be relevant to the consideration of the matters about which we are asked to inquire".

I was unable to attend the first two meetings of this Committee. Mr Cedric Wilson deputised for me. At the third meeting I discovered a peremptory order that a final report had to be delivered by today. I made it clear to the Committee that I would not in any circumstances lend my name to a final report that contained absolutely nothing of value. I do not criticise the members of the Committee because at this stage there is no reason why they should have any knowledge of the procedural esoterics of Select Committees and the like in the House of Commons. No member of the Committee, other than those with parliamentary experience, had, to use an Ulster expression, "a baldie" about what was going on. Such a situation came about because, in its press notice, the Westminster Procedure Committee said that it wanted our comments by a specific date. As a result there was minor hysteria in the Assembly about providing a report by that date.

A meaningful report could not be provided for the following reasons. First, the Northern Ireland legislation had not gone through all its stages in the Commons and the necessary substantial material was unavailable.

2.30 pm

Secondly, in order to liaise and relate the Standing Orders of this Assembly with the procedural Standing Orders for the House of Commons, it would be necessary for the Standing Orders of the Assembly to be complete. They are far from complete — the Standing Orders Committee is still in existence.

Thirdly, it would have been necessary to have at least the substance of the provisions that will pertain between the Scottish Parliament and the Welsh Assembly and Westminster in order to make meaningful and sensible comparisons between what was going to happen between Westminster and those bodies in circumstances not largely different from our own.

The result was that the Committee on the Procedural Consequences of Devolution was not in a position to deliver anything of substance. Therefore the Committee agreed that it would produce an interim report which in essence says "We have nothing to tell you. Here, in layman's language, is a list of the problems that we will address". However, in terms of addressing those

problems or making recommendations, it says zilch. I doubt that there will be any significant improvement on the matter by November.

The Assembly should have responded to the House of Commons press notice by stating that it would be impossible to make any meaningful comments by the date suggested, and that when the Assembly is in a position to make comments, we will make them. Why was that not done? Why are we debating this issue today? In my submission this is filler. There is no reason why the Assembly's time should be taken up with this motion, had it been properly addressed initially. The only reason it appears here is so that the public can see that the Assembly is doing something. The truth is that, on this item, it is doing virtually nothing.

The real issues to be addressed are the democratic foundations upon which this Assembly is supposed to operate. Will they be democratic or will they be controlled by the possession of weapons by a private army supporting one of the parties allegedly participating in the democratic process? That is what we should be talking about. We should be talking about the circumstances in which the North/South bodies are to be set up, if they are to be set up. We should be talking about the terms in which members of the Executive are entitled to be members of the Executive on the basis of any democratic principles. Instead we are talking about an issue that should not be considered at this stage. If anyone had addressed it with any logic and common sense, he would have replied that at this time, there is simply not available any of the most basic and relevant information that would enable us to make a meaningful report.

The interim report is largely a non-report. It is time this Assembly started addressing issues of substance, instead of manufacturing issues such as this.

**Mr A Maginness:** I congratulate the Chairman of the Ad Hoc Committee on the production of the interim report. I do not share the views expressed by Assembly Member, Mr McCartney. The reality is that the Committee was faced with an instruction from the Assembly to prepare a report within a certain time. It became evident that that would not be possible, but we endeavoured to fulfil the instruction given by the Assembly.

Given the time available and the resources at our disposal, in terms of expert advice and assistance, I believe that we have produced a good and fair interim report.

The report flags up in a straightforward and common-sense way the problems that will exist with the procedural consequences of devolution. It was designed specifically to assist and advise Members.

We decided not to rush into a definitive document — it would clearly have been impossible to do that — but in the time available it was our desire to give as many people as possible the benefit of the Committee's discussions.

I will not repeat Mr McFarland's meticulous and fair comments, which reflected the standard of his Chairmanship and the co-operation that exists on the Committee. I regret Mr McCartney's remarks and, indeed, those of Mr Robinson, whose criticisms were petty and churlish and reflected poorly on the Member.

This is the best interim report that could be produced in the time available. Members will be able to learn quite a lot from it and investigate further the issues that have been highlighted so ably by the Committee.

Furthermore, at that Committee meeting it was agreed — albeit in Mr McCartney's absence — that there would be a self-denying ordinance and that the Committee's Chairman would move the motion asking the Assembly to take note of the report.

**Mr McCartney:** Does Mr Maginness accept that I was not present and that had I been, I would not have given my consent to any such self-denying ordinance? Furthermore, does the Member also agree that it was my suggestion that the report be an interim one and not a final one and that the relevant issues be set out in plain language?

**Mr A Maginness:** I do not know whether Mr McCartney would or would not have consented to the Committee's agreed line, but I do know that he did not remain for the full Committee meeting. The fact that he was absent is for Mr McCartney to explain to his party and to the Assembly. If the United Kingdom Unionist Party had wanted to ensure that the Committee's position was not the one that it adopted, it should have been there to ensure that.

Mr McCartney did raise the issue of an interim report, and that was easily agreed with the rest of the Committee. It was a common-sense proposition, and there was no dissent on it. We did not have to rely on Mr McCartney's learned skills to come to that conclusion.

**Rev Dr Ian Paisley:** While a Committee is quite entitled to say that it is not going to discuss a matter when it comes to the Floor, it cannot bind any other Member. The Committee is reporting to this House, and if it wants the Chairman to deal with the matter while everyone else says nothing, it is quite entitled to do so, but it is not entitled to stifle debate on the Floor of the House.

**The Initial Presiding Officer:** I was taking this as a point of order, and I am not sure that points of information can be taken at this time.

**Rev Dr Ian Paisley:** I want to show how reconciled I am with the Member and he can say what he likes. I want to give him freedom.

**The Initial Presiding Officer:** That may well be so. Was that a point of order, Dr Paisley?

**Rev Dr Ian Paisley:** Yes.

**The Initial Presiding Officer:** I cannot take a point of information in a point of order.

**Rev Dr Ian Paisley:** I had not finished my point of order.

I ask you, Mr Presiding Officer, to make a ruling. Mr McCartney said there were certain matters that we should be debating — and I believe we should be debating them. If a motion in respect of those matters were to be put down, would you accept it, and could those matters be discussed at a future sitting?

**The Initial Presiding Officer:** This is not a point of order as far as this debate is concerned. Mr McCartney took a degree of licence in regard to the breadth of his comments. As far as the specific question is concerned, any motion may be brought forward and discussed by the Committee to Advise the Presiding Officer which will look at the style of motions and their format. Up until now we have had what are called "take-note debates" — debates which are not amendable and for which the House will not divide.

That may not accommodate the concerns raised by Mr McCartney or Dr Paisley, but if motions are proposed, they will be considered.

**Rev Dr Ian Paisley:** Mr Initial Presiding Officer, I am entitled to put a point of order on something that you have allowed. You were lenient with the hon Gentleman, so I, too, am entitled to leniency. He must have been in order, and, therefore, I am entitled to put a point of order on what was in order.

**The Initial Presiding Officer:** He was indeed in order; you have not gone out of order, and the next in the line of order is Mr Seamus Close.

**Mr Close:** It would be fair to say, both literally and metaphorically, that this is 'Much ado about Nothing'. The report caused difficulties for the entire Committee. Instead of sniping at Committee Members, people should recognise that if a job is worth doing, it is worth doing well. Committee Members should be applauded; they are saying that the task with which they were charged was impossible to complete in the allotted time for various reasons outlined by other Members — the Northern Ireland Bill has not yet been completed, the Standing Orders are not yet completed. We were charged with an impossible task, but we were big enough, bold enough and man enough to admit that.

Paragraph 11 of the interim report states

"The Committee is concerned about coming to hasty conclusions simply to meet the Procedures Committee's deadline."

It would be a very foolish committee that accepted a deadline and said "To pot with the content; we will meet that deadline." This Committee is not going to fall into that trap; we need more time, we have asked for more time, and I expect that the House will give us more time in order to perform such an important task. We must all fully accept our responsibilities and not be slipshod in the face of a false and inoperable deadline.

2.45 pm

**Mr P Robinson:** The deadline was set not by somebody out in the back streets but by the Assembly, and I cannot recall the Members saying that it was unachievable. Before he sets a new deadline, as recommended in the report, is he satisfied that this Committee will produce a good report by that deadline?

**Mr Close:** I am hopeful that a full report, which will be educational for Members, will come to the House by the date set because it is wrong for any Committee to create an elitist little group which keeps to itself information that should be presented to all Members.

I disagree with the comments made by the Member for North Down, Mr McCartney. The Assembly should not be used, either now or in the future, to renegotiate the Good Friday Agreement.

**Ms Morrice:** It has been said that the report is not complete and, perhaps, that we have not carried out our duties. It is important that the Assembly and the wider public know that I and other members of the Committee learned two very important lessons from our meetings. The first concerns Mr Robinson's remark about not being territorial. This was vital to our work. We are not alone in Northern Ireland. The United Kingdom is going through an incredibly fascinating process of devolution, from which we must learn. We must also learn from these islands as a whole, from Europe and from the wider world. I am attempting to broaden the picture. We have examples of best practice in places like Spain, Belgium, Germany, America and Canada. We must learn from those examples and also from the mistakes which have been made.

The second lesson concerns education, the learning curve that was referred to. Mr Close suggested that we should not form an elite group which gathers information but does not disseminate it. Openness, transparency and speaking plainly in a language which is understood are vital, a language which is understood by, as we used to say in the BBC, "the man, the woman and the child on the Ormeau Road bus". We need to be understood by everyone, and that is very important. We do not want the report to be issued until it is complete because we want it to be an education for Members of the Assembly and everyone outside as well.

I commend the report to the Assembly.

**Mr S Wilson:** One thing that we have learnt from this debate is that politicians are quite touchy, but the legal profession is equally so, and politicians who are also members of the legal profession are extremely touchy. Much of this debate has been taken up unnecessarily by people who are concerned about damaged egos.

The one thing which all the Committee members can genuinely say is that we have done our best to complete the task that we were set. We have not spent time unnecessarily contemplating the devolution label. Many of us, when we started, thought that the answers to some of the questions put to us by the Procedures Committee of the House of Commons could be easily and quickly answered.

As we took evidence we found that the issues were much more complex, and that there were more constraints than we had envisaged at the outset. The Committee cannot be faulted for not having done its work. As a teacher I had to make a distinction between people who did not do their homework and people who did not do their homework in the way that I thought it should have been done. The homework has been done, but perhaps some Members expected a different result. To date we have done the task we were required to do, and the report shows that.

We were constrained because the legislation is not yet complete. We were also constrained — as was pointed out by some of the people who gave evidence to us — by not having Standing Orders completed for the Assembly. That is not an excuse; it is a fact. As far as the Democratic Unionist Party is concerned — and this reflects the views of many other members of the Committee — the general principle is that the Assembly is an integral part of the governmental arrangements for the United Kingdom. We do not wish — it would not be possible anyway, as was pointed out to us by some of those who gave evidence — to make recommendations or push a line which would totally divorce this Assembly from the rest of government in the United Kingdom.

The House of Commons, which is the supreme authority on governmental arrangements within the United Kingdom, must equally have a say and responsibility, and its Members should be able to scrutinise and know what is going on in this part of the United Kingdom. To some extent we are guinea pigs, being the first regional Assembly to have the opportunity to make a submission on the matter; the Assemblies in Scotland and Wales are not yet up and running and therefore are not able to give evidence. That was a further constraint upon us — a kind of self-denying ordinance. There are things which may



well be within the remit of the Assembly, but there must also be accountability at Westminster.

Another important factor which we contemplated at great length was the fact that, whether we like it or not, Westminster provides most of the funding for Northern Ireland and, therefore, it will require input and scrutiny on how those funds are spent, even though the matter may be devolved to the Northern Ireland Assembly.

Mr Close perhaps sat on the fence, as is his wont, when the question was put to him by Mr Robinson. In the end, I believe we will produce a magnificent report; the input from the Committee will be of quality, and we will approach the task with professionalism and diligence. Of course, it is just possible that when the final report is presented to the Assembly, my party colleagues may point in derision at it, but I do not think that will be the case. The Committee has not rushed fences or produced superficial recommendations. The final report which this Assembly will receive will be one which will be of use to the Procedural Committee of the House of Commons and will ensure good governmental arrangements between this region and the rest of the United Kingdom.

**Mr Paisley Jnr:** I support the comments made by my colleague, so I will be brief. Most people will agree that this is an inconsequential report. Indeed, some Members' comments have also been inconsequential. We would love to have a serious debate on the real issues facing this country. We would love to be debating the issue of decommissioning, or whether terrorists should be in the Government of Northern Ireland. We would love to be debating those issues which concern every man, woman and child in Northern Ireland. However, the point is that we have been asked to deal with a technical matter, and we should not walk away from that, rather we should make the best go of it and ensure that the Committee brings forward a report.

Unfortunately the position outlined repeatedly in the Committee by Mr Wilson is not the one that his party appears to have adopted today, but I am sure that when we go back to the Committee we will find that the position is not as stark as it appears.

Turning to the content of the report, I think it is important that a principle is established. Indeed, many Unionist Members have already referred to it.

This is Westminster's responsibility. We are an integral part of the United Kingdom, and it is up to the Government to determine our relationship with the rest of the United Kingdom.

However, it is fair that Westminster should say to the Assembly "Give us your advice. Tell us how you would like the procedures to operate." We have an opportunity

to have an input into the Westminster Procedure Committee's thinking about how devolution and the procedures of devolution should operate. I look forward to conventions and procedures being established which do not tie and restrict either this body or Westminster, which are durable and flexible and workable and which allow this Assembly, in terms of its relationship with the rest of the United Kingdom, to function as best as is possible. It is important that we have the opportunity to scrutinise and, where Westminster deems us competent, to legislate. We must urgently establish a channel of communication with Westminster so that we have full access to information — for example, draft European legislation — and that we are able to give advice from a Northern Ireland perspective. I ask the Assembly to let us go back into Committee and prepare a more comprehensive report by 6 November which makes our views clear.

**Mr McFarland:** I am reminded of the story of the tourist asking for directions who was told by a local "If I were going there, I would not start from here." The Committee has worked hard, but concern was expressed as to whether we would be able to report in time. As I understand it, the position of the legislation will be fairly clear by early November, which should give us time to reflect upon it.

3.00 pm

I am encouraged by the comments of the Democratic Unionist Party and by those of Mr Wilson, whom I thank for his support. The Committee was good-humoured and, apart from

some noises off, it has worked well. I also thank the Committee Clerk for producing all sorts of background material. He rarely got home before 8.00 pm. I urge Members to support the motion and the time extension.

*Question put and agreed to.*

*Resolved:*

That the Assembly takes note of the interim report prepared by the Committee on the Procedural Consequences of Devolution.

## PIG INDUSTRY

*Motion made:*

To call attention to the unprecedented and ongoing crisis within the pig industry, and to call upon Her Majesty's Government, in conjunction with the European Union, the banks and those involved in the processing sector, to take the necessary immediate steps to alleviate the present crisis and ensure the future viability of the pig industry within Northern Ireland; and to move for papers. — [Rev Dr Ian Paisley]



**The Initial Presiding Officer:** Let me say something about how I shall, by leave of the Assembly, conduct the debate on this motion, which begins “To call attention to” and ends “and to move for papers.” It is the practice elsewhere that such motions should not be contentious or amendable and are not pressed to a division. The mover of the motion is accorded the right of reply and will formally beg leave of the House to withdraw the motion.

**Rev Dr Ian Paisley:** The motion was originally in the name of my deputy, Mr Robinson. As there are few farmers in East Belfast, I am taking it over for the farmers of North Antrim and elsewhere. I became uneasy when my colleague, Mr Sammy Wilson, also from East Belfast, spoke about guinea pigs. There are no guineas in the pig industry. It is in serious crisis, and it is right that public representatives should have this opportunity to express their views on the serious situation in farming.

The industry is important. It employs about 4,000 people, has 1,800 producers and 2,200 processors and is worth approximately £200 million to the Northern Ireland economy. Those who know the pig industry knows that its fortunes rise and fall, but this could be its final fall, and Northern Ireland could be left with no viable pig industry. When some Members of the Assembly met the Minister, Lord Dubs, they put just one question to him. They asked, “Do you want a viable pig industry in Northern Ireland or are you prepared to preside over its demise?” The pig industry is not on the road to recovery. We face its demise, and we had better wake up to that hard, terrifying fact.

The pig industry had the fire at the factory in Ballymoney, and that was a terrible blow. Forty per cent of the killing and curing power was taken out of the industry. Such a blow in any industry would have been seen as an emergency in any other part, not only of the United Kingdom but of the whole of Europe. Yet our Government, and those who sit farther down the road from us in this very estate, did not think it was an emergency. They did not go

immediately to Europe and say that 40% of our industry had been destroyed. We expect them to do for us what has been done in Germany, in France, in Spain and in Italy in such situations. The Government have never acknowledged this to be an emergency situation. In fact, wearing the hat of a Member of the European Parliament, I approached the Government and asked what approaches they were making to Europe. They replied that they were making no approaches to Europe because there is no money in Europe for this.

I then went to Europe. I talked to Mr Fischler, the Commissioner, and he said that there is money in Europe. This is an emergency, but the United Kingdom Government have made no application for help. So I went back and they said they would consider the matter.

After considering the matter they decided that they were not going to make an application. However, there will be a debate in the European Parliament this week on the pig industry and its tragedies, and I welcome that.

The United Kingdom Government, the Secretary of State and our Ministers should have been on the ball to get from Europe not charity but something that we have paid for. Northern Ireland, according to the Exchequer at Westminster, has never got out of Europe what we have paid in per head of our population while the United Kingdom has been a member. It is all right for the Irish Republic to get £6 million a day, but we have never got out what we have paid in. The Government have not been faithful stewards of the pig industry, and for that I castigate them.

**Mr McCartney:** Dr Paisley has said that killing and processing have been reduced by 40% owing to the fire at Lovell & Christmas in Ballymoney. Is he aware that the remaining 60% capacity is increasingly being taken up by the processing of pigs imported from the Republic of Ireland?

**Rev Dr Ian Paisley:** I was about to come to that. I am very glad that things from the South can be slain in Northern Ireland, but our pigs should have priority.

I come now to the very important matter of pricing. It is very important. In the basement cafeteria here I asked for a sausage and was told that it cost 35p. I then asked for a slice of bacon to go round the sausage, and that was another 30p — 65p for one sausage and one slice of bacon. Look at the prices the farmers are getting for their pigs. Why is it, with the drastic fall in the price to the farmer, that the housekeeper and the buyer in the shops are getting nothing? In fact, it seems that the prices of pork and bacon are rising, not falling.

During the week that commenced 20 June 1998, around the time of the fire, the price was 85p per kilo. During the next two weeks Maltons had no pigs taken in, but in the week that commenced 6 July 1998 it shipped its first pigs to England at 85p per kilo. During the next week it shipped again, and the price dropped to 78p per kilo. No pigs were moved during the next week, but in the week that commenced 27 July 1998, the price dropped to 60p per kilo. No pigs were moved during the week after that, and during the following week the price dropped to 50p per kilo. These are drastic cuts in price.

The farmers waited impatiently — and rightly so — for Maltons to make a decision. There were lots of negotiations, which I will not go into today, and I am aware of them all but the Industrial Development Board paid a large subsidy to buy Wilsons, the Unipork people, and make the deal with Maltons. I must pay tribute to Lord Dubs and the Industrial Development Board because a lot of money was paid

for this. Wilsons changed hands and did very well out of the deal — Mr Wilson got all his debts paid, and £10 million into his hand as well. He nearly did as well as he has done out of mushrooms, but that is a story for another day.

We all thought that the first priority in Cookstown would be to kill Northern Ireland pigs. What has happened? Northern Ireland pigs have been killed, but more pigs from the South have been killed in Cookstown than ever before. A backlog of pigs is now rising. Somewhere in the region of 20,000 pigs are waiting to be slaughtered. If that figure rises to 40,000, where will the pig industry be? We, as public representatives, have a duty to make known our alarm about what is taking place. There are no two arguments to this.

These are facts, and facts are stubborn things. I cannot give names, but I have studied these figures very carefully. Producer A, since the fire, has been able to ship just 28% of his pigs. All Members, even those who have no experience of farming, will know that pigs have to be fed. And, of course, if the pigs get too fat, the farmer will not benefit from all the meal that he has bought. In fact, the pigs become a liability. That is the tragedy. Producer B has shipped 39% of his pigs, while producer C has shipped only 30%.

It is important to remember that the farmers have to wait 12 days before getting a penny in payment. There is no cash flow in the pig industry today. These people have their backs against the wall. Indeed, some of them have contemplated suicide. That is a fact. They have had to be counselled. Why? Because people in the pig industry always had a cash flow and worked hard to make their industry viable. Now they cannot meet the feed bills. I understand that around £40 million is owed to the millers at present.

3.15 pm

What have public representatives done? Assembly Members have met all the bankers, together with the Secretary of the Northern Ireland Banks Association. We have talked to them. We have pleaded with them to ease their pressure on farmers.

They told us that they had difficulties, but we said that banks did not go bankrupt. They are all in the money. They boast of making millions of pounds every year but farmers are going bankrupt. The banking sector has a responsibility.

We have also talked to the Department of Agriculture for Northern Ireland. Last weekend, we put pressure on it again about the slaughtering of pigs that had been raised in the Republic of Ireland. I was at a meeting at which the Social Democratic and Labour Party Member for Mid Ulster, Mr Haughey,

proposed that pigs be sent to a factory across the border to be slaughtered. Instead of that, pigs from the South are being brought up to Cookstown to be slaughtered, thus preventing the slaughter of pigs that have been reared in Northern Ireland.

The Government must face their responsibilities. This is an ongoing crisis. The backlog that is starting in the pig industry will increase and, as it increases, farmers and pig men will go to the wall.

I know that I speak for all those who have the interests of agriculture at heart when I say that the Government must not allow this industry to go to the wall. How can the Industrial Development Board justify using taxpayers' money to finance Maltons without first purchasing all Northern Ireland pigs, before topping up with Southern pigs? Is it for financial reasons? Are their commercial requirements more important than the preservation of a viable industry in Northern Ireland? It is annoying that Southern pigs are being killed in Cookstown, and it is totally unacceptable that the price paid for Southern pigs is approximately 10p per kilo more than for Northern Ireland pigs. That averages out at £7 per pig. That means that our farmers are losing £7 per pig in a factory that is financed by Northern Ireland taxpayers, and that should not be. The House needs to make its presence felt on this matter.

**Mr Leslie:** Most North Antrim Members are here today, and the House will hear a great deal from us on the subject of pigs because the Agivey bacon factory is an important employer in our constituency. It was with some relief that we heard of the acquisition of Unipork by Unigate although, as Dr Paisley has ably pointed out, there seems to be a little more to it than meets the eye. By investing £27 million in the takeover, that firm is showing confidence in the future of the pig industry in the area. It remains to be seen whose pigs it will put through the factory.

We have to focus on the conduct of the Government and their attitude towards the structure of the pig industry: the unilateral legislation that forced our pig producers to get rid of the stall-and-tether method of keeping sows; the range of health and hygiene requirements placed on the rearing, slaughter and processing of pigs, which added considerably to the cost of producing pork products.

I stress the word "unilaterally" because the same measures have not been applied elsewhere in Europe. In the future that may mean that United Kingdom pork produced to the standards required by regulation will set the benchmark price.

At the moment pork producers elsewhere in Europe are not applying the same standards and are supplying pork to the pig-meat industry in the United Kingdom.

This is yet another area where the United Kingdom, by assiduously applying regulation, has disadvantaged its own producers to the benefit of those in the rest of Europe.

This has coincided with a period when both the pound and the green pound, which sets our prices, are particularly strong. It has coincided with a period when pig production has risen by 10% over the previous year and, worse still, with a drop in the demand for pig products due to the financial crisis in Russia and parts of South-East Asia.

This is the situation that industry dreads. It has increased production; its production costs have gone up; and its market has been reduced by factors beyond its control and which it could not have foreseen.

These problems apply equally on the mainland. The difference in Northern Ireland is that we have come face-to-face with the problem sooner. Due to the loss of the Agivey bacon factory the build-up of pigs on Northern Ireland farms was much more rapid.

It is almost inconceivable that the Government can be so lacklustre in their approach to this problem. Any of these factors, if applied to some other industry, would have caused an equally serious problem.

The problem of a strong pound is universal. The whole of British industry is complaining about it. Other industries have lost part of their market due to financial problems elsewhere in the world. However, the pig industry has to face every one of these problems and in its case the only person who is losing money is the farmer. The loss is not being shared the whole way up the production chain. I feel that the Assembly should give careful consideration to the profit margins of the retailers.

One of the most unfair aspects of the pig crisis is that the best producers are the ones who are being burdened with the greatest debts. They were the producers who acted most promptly to take on board the new regulations, who accumulated debts to produce a better pig which would comply with the regulations due to take effect by the end of the year. They have invested in a pig industry which now has a distinctly reduced market.

This is not the first time that there has been difficulty in the pig industry. From time to time in the farming industry, there are periods of overproduction, lost markets and reduced profit margins.

This is the first time that so many parts of the agriculture industry are suffering from variations on the same problem. It is also peculiar how, just as only the pig farmer is losing money in this crisis, only the beef farmer is suffering from BSE. The meat processors are not having any difficulty at all. The Department,

therefore, has an immediate responsibility to address this issue and, furthermore, being the custodian of the industry, it must look to the future. It would be daft to address this problem only for it to recur in a short time. We must be sure that we have a viable and sustainable industry for the future.

Since it invested so heavily in Northern Ireland, Unigate clearly believes that we have the highest standards of health, hygiene, pig production and pig processing available. These are essential to the future of the food business and, in due course, pork produced in the United Kingdom will set the benchmark and be the premium product. If we cannot get immediate action to address the acute financial problems of the pig producers or solve the problem of disposing of live pigs, that future — which may well be right, may well be rosy — will never come for many of our pig farmers.

We have a long history of successful pig production in Northern Ireland, and pig producers have coped with tight margins, with loss-making situations, with blue ear disease and with swine vesicular disease and have come through them all. We have a very high standard of pig husbandry in Northern Ireland. It would be an absolute disgrace if all that were to be thrown away by a lack of action now.

**Mr Haughey:** I support the motion. Although I cannot always support what Dr Ian Paisley says, I am very glad to do so on this occasion.

I regret that the motion is not more inclusive, for the entire agriculture industry is in crisis — the worst crisis in recent times. A two-hour debate is not sufficient to deal with the problems of the pig industry, and is certainly not sufficient to deal with the problems of agriculture as a whole. The Assembly has a duty to look at that whole matter and to look at it very urgently.

We need at least one full day to debate the crisis in agriculture which is affecting our economy so drastically. Mr Initial Presiding Officer, can you advise us on how we might best make arrangements for such a full day's debate? Can you also advise on how we could arrange for the House to hear evidence from the Ulster Farmers' Union, the Northern Ireland Agricultural Producers' Association and other relevant bodies? The crisis is one of monumental proportions, and the Assembly has a duty to deal with its effects and the impact of it on the community as a whole.

I further propose — this could be dealt with through the usual channels — that, having had a full day's debate on the agriculture industry and having taken evidence from the farmers' representative bodies and others, we take an all-party delegation to meet the Secretary of State for Agriculture, Fisheries and Food to try to impress upon him the size of the disaster facing the industry and the serious implications which that will



have for the whole of our economy and for rural society in particular.

**Mr McCartney:** I apologise for interrupting Mr Haughey's flow and endorse everything he has said. Does the Member agree that the appropriate Committee to take such evidence would be the Committee to be set up to scrutinise the work of the Department of Agriculture and that that highlights the necessity of assigning the Committee portfolios even while the Assembly is in shadow mode? If the Assembly is going to get into full gear, these portfolios should be assigned as soon as possible.

3.30 pm

**Mr Haughey:** I take the Member's point entirely; he is right. However, I do not wish to overlay the discussion of this extremely serious matter with a political distraction which we will have to settle in another time and in another way. There are urgent issues facing us as a community — issues which need to be addressed in a structured way — and the sooner we get on with doing that the better.

I accept that the pig industry is a special and an extremely urgent case. There is a crisis — not just here but all over Europe. There is a glut of pigmeat in the European Union, but I will not go into how that came to be now.

A glut of pig meat means a serious problem for pig-meat producers because prices fall. That, in turn, is exacerbated by the current absurdly high value of sterling which makes it extremely difficult to clear that glut of pig meat by exporting it outside the United Kingdom and Northern Ireland. That crisis, exacerbated by the sterling problem, has been turned into a disaster for the pig industry following the fire at Agivey. The situation is urgent, and special measures are needed to deal with it.

I have pointed out to the Minister and to others responsible that agri-monetary compensation is available from the European Union at the request of the relevant Minister. That funding could be used to alleviate the crisis facing the pig industry, but it has not been requested. And the reason it has not been requested is the operation of the so-called Fontainebleau Agreement — a mechanism under which the former Prime Minister, Madam Thatcher, secured a rebate on the United Kingdom's net input into the European budget.

I disagree with Dr Paisley on one matter. The United Kingdom's so-called net input into the European Union does not come out of British taxpayers' pockets. It comes about by virtue of the fact that the United Kingdom, unlike other European Union member states, continues to convert a

disproportionate element of its trade outside the European Union, therefore the Customs and Excise duties collected on goods coming into the United Kingdom — many of them in transit to other European Union member states — go into the European Union budget as its own resources. So when Madam Thatcher thumped the table and demanded the return of her money, it was not her money and it was not coming out of European taxpayers' pockets.

Agro-monetary compensation is available, but the British Government have not asked for it, because under the Fontainebleau Agreement, it would not make financial sense to do so. But it makes good financial sense and this is a matter that the Assembly should press with the British Government and with the Secretary of State for Agriculture.

We need to concentrate on the immediate need to increase the slaughter capacity available. Dr Paisley referred to a suggestion that I made in a previous meeting that there was spare slaughter capacity available just south of the Border. I have been in touch with the proprietor of the plant in question, and he is prepared to talk to Maltons, and I have also been in touch with Maltons to urge them to have discussions with him. I hope that they have already contacted each other and that there may be action on that front.

I have also been in touch with the Department of Agriculture in Kildare Street, and I have discovered that the plant in question was inspected recently and was passed for immediate production, so all that is required is a business understanding between Maltons and the proprietor. I intend to continue to pursue that matter.

If there is not an increase in slaughter capacity within a couple of weeks, as Dr Paisley has correctly said, there will be an unmanageable amount of pig meat on farms with the consequent pressure on farmers. That must be cleared because, for three to four months, it will not be possible for Maltons to expand slaughter capacity at the Cookstown plant that it has taken over. One obvious way to provide for that three- to four-month period would be for Maltons to take a short-term lease on the plant that is available just south of the border. That would meet the immediate need.

The European Union has a duty to address the crisis in the pig industry throughout Europe. It is not good enough for Commissioner Fischler to say that the problems must be resolved by market forces. As other Members have said, if market forces are allowed to reign, there will be bankruptcies by the hundred. Our pig-meat industry will collapse. Not bringing production into balance with consumption, but rather losing capacity, will almost certainly mean a shortfall in pig-meat production in the foreseeable future, with



consequent imports from outside the European Union. We cannot and should not contemplate such a future.

Pig-meat production has to be reduced rationally in a way that preserves our capacity to provide the quantity that we need. I have written to Commissioner Fischler within the last few weeks with a proposal along those lines. However, I understand that the Commission is not willing to commit huge sums to support the pig industry because that might lead to difficulties with other product sectors. Pig-meat production can be managed downwards by the imposition of weight limits at slaughter and by quotas; that will not require huge sums. I have written to the Commissioner urging him to adopt those suggestions, but I have had no reply.

I respect what was said at the start of the debate, that we need at least one full day to debate the crisis in agriculture. We need to be able to take evidence from the relevant bodies to equip a delegation to meet the Minister for Agriculture, Fisheries and Food to impress upon him the seriousness of the crisis in agriculture in Northern Ireland and the consequences for our whole economy.

**The Initial Presiding Officer:** Three specific questions were put to me in terms of a ruling. There is no technical reason why we should not have a full day's debate on agriculture. That is a matter for discussion through the usual channels, and I shall certainly ensure that the matter is raised and discussed.

Secondly, I was asked about holding a hearing. As Mr McCartney correctly said, the proper forum would be one of the scrutiny Committees. We do not currently have such a Committee and the tenor of the remarks suggested some urgency, which may mean that the matter ought not to be left to that. However, that leaves us with a technical dilemma as to how it can properly be achieved. I shall explore the various possibilities to see whether agreement can be reached through the usual channels, on how the matter might be addressed.

The third question was about an all-party delegation. That is entirely a matter for the parties. It is not a matter for me, and it should be taken up between the parties at whatever level is deemed to be appropriate.

**Mr McCartney:** Is there any reason why the Assembly cannot at this stage convene an Ad Hoc Committee of all parties to deal with that matter?

**Rev Dr Ian Paisley:** Surely the House has the power to become a Grand Committee itself to examine such a matter?

**Mr Haughey:** A way of getting around this might be for the House to appoint an all-party delegation and give it authority to take evidence.

**The Initial Presiding Officer:** We can see that three rather experienced politicians have come up with

three very reasonable ways of proceeding, and there may indeed be other ways. This demonstrates how, if the will is there, the means can be found.

I will ensure that the matter is discussed through the usual channels and hope that an agreement can be reached. It is clear from the remarks made by Members across the Chamber that the matter must be attended to.

**Mr McGrady:** In view of the remarks that have been made across the Floor about the urgency and importance of this subject to the farming community and their financial plight, may I suggest that the party Whips get together. They should be able to orchestrate the appropriate action without there being any problem about the Assembly's rules and regulations.

**The Initial Presiding Officer:** It is clear what the will of the Assembly is on this matter.

**Mr Molloy:** A Chathaoirligh, may I thank Dr Paisley, the Member for North Antrim, for providing us with the opportunity to raise this matter. There is a crisis not only in the pig industry but in agriculture generally throughout the Six Counties.

Farmers are wondering whether this is a deliberate policy by the British Government and the European Union simply to wind up the agriculture industry here. We seem to go from one crisis to another, and no attempt is made by either the British Government or the European Union to resolve them.

We have had the BSE crisis and the attempts to resolve that crisis involved isolating beef produced here from that of British beef. Remember this is different — it is reared and looked after in this country. As Dr Paisley has said, the strip of water between us is all that separates the two standards. We need to recognise that the beef and pork produced here have probably been of a higher standard than that in the rest of Europe.

Now we have the decline of the pig industry, which is a major crisis for pig producers, and for the small farmers in particular. For years they have survived on mixed farming, producing beef cattle, sheep, pigs and poultry. Every part of this industry has been affected by scares of different kinds. Why do we have these scares? Sometimes there is little fact to support or substantiate the claims that are made.

A lot of blame has been attached to the fire at the Ballymoney plant, and that did reduce the killing and curing capacity. But that in itself has not created the crisis. There have been many different reasons, but I would like to concentrate on the packaging of bacon and pork products in the Six Counties. Time and again we see pig products on the shelves labelled "Processed in Northern Ireland", but that does not tell us the source of those products. Many of them come from Denmark and other Scandinavian countries.

3.45 pm

There is confusion with regard to packaging. Source needs to be clearly identified so that customers may be assured that they are supporting the local industry.

The crisis is a result of the absence of an overall agriculture policy. The Six Counties has been linked to Britain industrially but has lost out on the agricultural side, as Dr Paisley has said, whereas for years the South of Ireland has benefited from European funding.

We need a co-ordinated agriculture policy in Ireland. It is important that we speedily move to set up appropriate Departments, the scrutiny Committees and, most important of all, a North/South body to bring about an all-Ireland agriculture policy.

What is the point in blaming Ministers who have other responsibilities? We need to move speedily to the appointment of a Minister who can demonstrate to the Assembly that he is doing all in his power to ensure that, for example, the pig industry prospers.

Undoubtedly we need support from the European Union.

We have heard today how all aspects of the pig industry in the North and in the South are linked. I welcome the news that throughout Ireland there is growing co-operation in all aspects of farming — not excluding the unions. We have an opportunity to help. We should not sidestep the issue but should set up appropriate Ad Hoc Committees with power to scrutinise and to plan for the future. Let us stop moving from one crisis to another.

We should move speedily to set up an Executive that is responsible for a Ministry of Agriculture and will lead to the establishment of a North/South body. It is important that this Assembly have powers of control and scrutiny.

We have an opportunity today to speak with a united voice in support of the pig industry and to show that we are concerned. Meetings are all very fine, but we need to move speedily to practical issues. We must use practical means to deal with the crisis.

**Mr Ford:** Like Mr Haughey, I welcome this debate, but not the motion's exclusion of certain matters. There is a crisis in the pig industry, but this is not the only sector of agriculture which is suffering. For example, lamb producers in Great Britain are getting even worse prices than those in Northern Ireland. In the case of beef, there is no doubt that flagged suckler herds in Northern Ireland had their chances in the certified herd scheme sacrificed so that others could make progress, albeit slowly. Producers are still waiting for their 1997 compensation while we discuss problems that have arisen in 1998.

There are many problems throughout agriculture, but we have a major crisis in the pig industry, which requires not just a debate but action.

A number of factors have been highlighted by Members. The strength of sterling is a fundamental problem for all of British industry, whether agricultural or manufacturing.

There are economic problems in Russia and the Far East which are beyond the capacity of this House to solve. There is over-production across Europe, and action is required at European level. The fire did not help the situation.

The Government must take action. We need to move on to the point where we take responsibility, but all we can do at this stage is put pressure on others. The pressure which is being applied by farmers' representatives, with the support of people from every part of the House, has helped to make a difference. It has put pressure on Lord Dubs in particular, but it has also shown how difficult the problems are to resolve.

We met Lord Dubs just after the initial proposal for the welfare scheme — it was proposed that under the scheme pigs would be removed from the food chain at nil compensation — and forced him to produce a fairly minimal amount of compensation. At the meeting Mr Small, the Permanent Secretary for the Department of Agriculture, said that he would have to satisfy the Government and the European Commission to get them to agree and then find the money from somewhere.

We all hope that in a few months we will have the power to decide on agriculture here. I do not know how much we will be able to do in co-operation with our neighbours down the road. We will still have to go through the British Government when we go to Europe.

However, having power solves only the first problem. We will still have to satisfy Europe and come up with the money from somewhere. The short-term aid provided by the Government was a minimal financial payment which was dressed up as a welfare scheme to ensure that it met the European criteria. Unfortunately, it was a one-off scheme and the difficulties continue. We need to press for the reintroduction of that scheme to take away the surplus pigs that we still have.

Mr Haughey highlighted the issue of the green pound. One of the reasons for every part of agriculture suffering is that the Government have refused to make any application for agri-monetary compensation. We, as a united Assembly, should be putting pressure on them, because that is something which would benefit every sector.

It was pleasant to see the direct action taken by many of the producers to highlight issues such as sourcing of meat, the way in which retailers have been buying

elsewhere and the prices which consumers have had to face. Many customers are going into shops — and it is not just the farmers' wives — and looking at the labels to see where food is coming from. This, and our standards, are to be welcomed.

We should also be asking why the consumer is paying as much as he was paying three months ago while the farmers are receiving virtually nothing. It is a long time since I studied economics, but that does not sound like a free market to me.

In Northern Ireland we have high standards, the highest in Europe — quite possibly the highest in the world in a number of areas — in food quality, health and animal welfare. We should not be seeking to reduce those standards, but to maintain them, and we should be ensuring that people are aware of them. During the next century this is what the consumer is going to demand. It will not be a matter of cheap food but of quality food. If we take this crisis as an opportunity to publicise our standards it may help us; if we take it as a reason for reducing our standards we may destroy our long-term viability. There are signs at Westminster that the creation of a Food Standards Agency for the United Kingdom has been put on the back burner. That is something that the Assembly, when it gets its full power, should take up for the benefit of our consumers and producers.

It is vital that consumers get the information to make an informed, fair choice from what is available. If we are going to work to alleviate this crisis, we must also prepare for the future to ensure that there is long-term viability for every sector of agriculture.

**Mr R Hutchinson:** All Members agree that farmers in general and pig farmers in particular are in a state of crisis.

As we consider their plight it is worth remembering that we are speaking of people who have worked hard to set up their businesses and who, over the years, have provided not only employment but also a service to the people of Northern Ireland. An industry that employs approximately 4,000 people and is worth around £200 million to the economy of Northern Ireland deserves immediate help from the Government.

There are some 65,000 sows in the Province, producing some 25,000 pigs for slaughter each week. On 28 August 1998 the Government provided some help with the announcement of the pig welfare slaughter scheme to cull overweight pigs. Compensation of £30 per pig was payable and applications for some 27,000 pigs were made, of which 15,000 were presented for slaughtering. That is now complete and most of the payments have been made. To its credit, the Ulster Pork and Bacon Forum provided a

top-up payment of £3 per pig to encourage people to enter pigs under this scheme.

We have all heard about Maltons which recently took over the Unipork processing plant at Cookstown. Many farmers had hoped that this would result in slaughtering increasing a little more quickly. However, because the plant has limited chill facilities it cannot increase slaughtering numbers until new facilities can be built. In the meantime Maltons continued to ship pigs to England, agreeing to take some 4,000 pigs per week, but the number actually shipped is considerably less. Farmers are very unhappy with the way they have been treated by Maltons and unless something is done there will be a second backlog of pigs building up when it was hoped that the slaughter scheme and Unipork takeover would help to stabilise the market.

Pig prices have shown no sign of improvement and farmers continue to make a large loss on every pig. For example, in September 1997 the loss was £7·08, but by August 1998 it was £17·03. No producer can sustain that level of loss without it having a severe effect on his business. Aids to private storage were introduced on 28 September. Farmers welcomed this but its effect will be limited as the meat must be exported outside the European Union when it comes out of storage. In addition to the strength of sterling, oversupply problems and the ever increasing specifications required by supermarkets, pig farmers in the Province are disadvantaged for other reasons.

First, the rigid implementation of welfare regulations such as the stall and tether ban. The ban will come into effect in the United Kingdom on 1 January 1999 and will require pigs to be kept in loose housing systems. Many farmers have not yet been able to build new loose-house systems because they cannot afford to do so; the money is not there for them to convert facilities.

*4.00 pm*

By contrast, the European Union — including the Republic of Ireland — banned only tethers and no mention has been made of stalls.

Secondly, feed costs are approximately £10 per tonne higher here than in England, due largely to transport costs. This is roughly equivalent to £2·50 per pig. There is no subsidy on that at all, and no cheap long-term loans as in France or Germany. No grant aid is available for modernising, as it would be in the Republic of Ireland. Northern Ireland has poor Aujeszky's disease status, but any eradication programme would have to be for the whole island of Ireland: the Republic of Ireland has not reciprocated.

Meat-and-bone meal cannot be fed to pigs in Northern Ireland. It is not suggested that MBM should be legal in Northern Ireland, but imported pork from



animals that have been fed on MBM, and therefore produced at reduced cost, is becoming increasingly common in our supermarkets. That needs to be looked into.

There are ways in which our industry can be helped. Pressure should be put on Maltons to ensure that there is no further backlog. That can be done by rapidly increasing exports to England. That company is responsible for the majority of the slaughter capacity in Northern Ireland. As my party leader has said, sourcing policies at Cookstown need to be examined. Maltons should be encouraged to take more pigs from Northern Ireland in preference to pigs from the Irish Republic. Co-operation within the industry should be encouraged, possibly with financial assistance. A recent report by the Ministry of Agriculture, Fisheries and Food on the competitiveness of the United Kingdom pig industry pointed to the lack of co-operative producers' groups as a major weakness.

Processors must pay a realistic price that covers the cost of production. There should be grant aid for modernising and a common-sense approach to the implementation of legislation. Producers should be able to average their returns over a five-year period for tax purposes. Long-term low interest rates would help, as would better access to education and training. There is currently a shortage of skilled labour. Transport assistance for grain from the United Kingdom is another option. Unless drastic action is taken on the pig industry, many homes in the Province will be in danger of falling apart; I would urge the Government to take the steps that are necessary to help our pig farmers.

**Mr Douglas:** Farming in Northern Ireland is in decline, mainly because of the strength of the pound and the BSE crisis. The situation has been exacerbated by the failure of the British Government to take up the monetary compensation that has been made available in eight other European Union countries. Although much reference has been made to the European Union, it falls to the United Kingdom Government to obtain that money for our farmers.

The pig industry is part of an industry that is in oversupply not only in Europe but in the world, to the tune of 10%. While that continues, many difficulties lie ahead for Northern Ireland producers. The fire in mid-June at the Lovell & Christmas factory could not have happened at a more difficult time for pig producers. Before the fire, Maltons had been processing up to 15,000 pigs a week. After the fire, that fell to 2,200, and although it had promised that a further 4,500 pigs per week would be transported to England, that never transpired.

After much lobbying from the Ulster Farmers' Union, political leaders and devastated farmers, the Government helped to alleviate the desperate

oversupply on farms. This was mainly because of the welfare issue — there was little consideration for the welfare of the farmers themselves. The buy-out scheme — at approximately £30 per pig — still left farmers losing in the region of £30 as it takes approximately £60 to cover all production costs, including overheads.

Because of the very serious crisis during the last months, the Government, through the IDB, have helped facilitate Maltons to purchase the factory in Cookstown in the hope that a new factory can be built within two years to cater for pig processing in Northern Ireland. At the present time Maltons is paying only £31 per pig at slaughter in Northern Ireland, while in Great Britain the price is in the region of £45 per pig. This payment is to pig producers who are applying the same code of practice as their counterparts across the water, hardly what one would call a level playing field. Maltons is currently processing a substantial number of pigs from south of the border, when we are still in oversupply. As a substantial amount of taxpayers' money has been used through the IDB, pressure should be brought to bear by the Government on Maltons to pay producers at least on a par with their counterparts in the remainder of the United Kingdom and to source all their pigs in Northern Ireland while we have this oversupply.

The other two processing plants in Northern Ireland are paying a higher price per pig at present, and surely this disparity needs to be addressed. At Cookstown on Saturday, weaned pigs were being sold for £2 each. Before this crisis these pigs were making between £18 and £20. At this level, each sow will lose about £100 per litter. If the depressed situation continues — and there is no better outlook in the near future — many producers will be selling their pigs to cut their losses. Surely this cannot be allowed to continue. If some further steps are not taken to help producers through the next few years, most of our 1,800 producers will not survive — certainly not at an economic level.

I urge the Government to take further steps to help farmers, especially in the pig sector, to set up structures to ensure that our producers, in future, have an organised market to enable them to compete on a level playing field. Unless immediate steps are taken to stop the decline of the pig industry, there will be further depletion of the rural population, which will have serious implications for the country as a whole.

I support this motion.

**Ms McWilliams:** Rural development, as much as urban development, is the concern of every Member in the Chamber, and we have heard today about the serious crisis in the pig industry. We have heard from other Members what the problems are and so I will be brief in making some suggestions for action.



Mr Douglas described the problems facing those who are rearing pigs and told us that producers are getting £2 for each weaned pig at the Cookstown market. That really does signify a total collapse in that market.

We have also heard about the problems facing the pig processing industry. It seems from recent articles in the 'Farm Trader' that the industry has had a pre-tax loss every year since 1991, ranging between £4 million and £7.6 million a year — there is not much profit to be made in processing either — and we have a crisis on both sides of the industry. I heard Robert Overend on Radio Ulster this morning saying that he is a farmer and asking where the trading margins are for pig producers. He also asked "What happens when the little pig goes to market?" We really need to know the answers to those questions to enable us to find long-term solutions to the problems as well as short-term ones, and I am thinking about the surplus that exists at present and the call for action on it. Bob McCartney is right: the sooner we get the Executive and the scrutiny Committee for agriculture in place, the sooner we can look at both the short-term and long-term problems.

Something must be done about the fact that these pigs are still on the farms. There is a huge surplus and this is a major crisis, not just for animal welfare, but for farmers' incomes. As Dr Paisley pointed out, many of these farmers are in such a psychological state that some have recently committed suicide — and the number is rising.

I also take Mr Ford's point that there is no contradiction between having good food safety and good food production. The debate has often been between the producers and the consumers, and many of the regulations that have been introduced have somehow been pointed to as being part of the problem. I do not see it like that. The suggestion I am making is one that John Simpson made recently in 'Farm Trader'. It points to the European Union and, as the United Kingdom Unionist Party Member pointed out earlier, to some assistance in relation to the materials that are being transported. The European Union has a provision that could allow some assistance towards the transportation of surplus pigs to other outlets. Several Members referred to the fact that the outlets in Northern Ireland are not dealing with them — either because of the Republic of Ireland's pigs or because they do not currently have the capacity.

After the fire, pigs were transported to England, but the shipments were not large enough, and because the farmers were not getting enough assistance, they stopped, as there was nothing in it for them. Within the European Union there is a provision that allows assistance, particularly for transport aid, to trade from peripheral regions. This has been accepted elsewhere, and it seems to me that Northern Ireland is a peripheral

region and should be making use of some of this transport aid to deal with the current surplus. If aid were made available, we might be able to deal with some of the short-term problems, so incentive schemes must be put in place urgently. Processors should be invited to tender, and those with the lowest bids should be considered for that aid.

In common with all Members I have been lobbied by the Farmers' Union on this issue, and I am only too glad to offer my support.

Those of us who attended the transition seminar last week were invited to take up some of the suggestions made by the chairmen of the Farmers' Union and the Agricultural Producers' Association. When they addressed Members they said "Gentlemen of the Assembly, we ask for your support". On behalf of the Northern Ireland Women's Coalition, may I say to both Leslie Craig and Will Taylor that the women in this Assembly take agriculture every bit as seriously as the Gentlemen.

**Mrs Carson:** Most of the problems have already been considered today.

I am concerned that the pig producers are currently facing heavy losses and severe financial difficulties, and as a housewife and an Assembly Member with many concerned constituents who depend totally on pig farming for their livelihood, I want to make two points.

The Government's reaction has been tardy, and pig farmers and their families have suffered greatly. I have seen this with my own eyes in my constituency. The financial aid offered was too little and much too late. The reorganisation of the pig processing industry in Northern Ireland and the restoration of facilities to replace the loss of Lovell & Christmas may bring better times, but it will be an uphill struggle for some time. For some pig producers and their families it may be too late.

My second point concerns point-of-sale marketing. I am very basic and down-to-earth. I appeal to all Ulster housewives to show their loyalty and demand home-produced pork products in their local shops and supermarkets. That would be worthwhile. I know that is pretty basic, but it would demonstrate their concern.

4.15 pm

At our seminar last week, Mrs Joan Whiteside from the Consumers' Council said that it had conducted a survey which showed that Northern Ireland people were not supporting local products. Some supermarkets have responded to the pressure from pig producers and their families to stock local products. Now the public can see products clearly marked "Produce of Northern Ireland". However, in local supermarkets some sausages are marked "Irish produce", but a closer inspection shows

that they have been made in England. Shoppers can play their part by reading the print — which, admittedly, can sometimes be quite small — and ensure that they buy local products.

There has been an expansion of multiple supermarkets here, and that has led to the dropping of local suppliers, not only of pork but of vegetables and dairy products. Even milk has been found to be packaged in Manchester.

I appreciate that we all depend on others accepting Ulster products, and it is important that we increase our exports, but charity begins at home. A good home market will ensure a sound foundation for future development. I appeal to Ulster housewives to support the pig farmers by buying locally-produced pork.

**Mr Dallat:** I support the motion, and I was pleased that Dr Paisley stopped short of calling for passports for Southern pigs so that the Assembly can be united on this major issue.

The crisis, of course, is not confined to the pig industry; it affects agriculture as a whole. Whether one owns a picturesque farm in Fermanagh or a window box in Cullybackey it does not matter — everyone will be affected by this crisis if it is not dealt with. I support Mr Haughey's suggestion to widen the whole debate about the crisis in agriculture.

In 1996, farm output in Northern Ireland was £942 million; in 1997 it dropped to £803 million; and estimates for this year put output at £756 million. That is an overall drop of 20%. In terms of income, the situation is even more serious. In 1996, total income was estimated at £319 million; last year it dropped to £203 million; and this year the figure is no more than £156 million. That is a drop of over 50%. We must seriously consider Mr Haughey's comments because the drop in income is not confined to pig producers. Income from pigs is down 24%; sheep income is down 25%; cattle income is down 12%; and income from broilers is down 8%. However, I am happy to report that potato growers are making some money — but only potato growers.

Dr Paisley referred to debts. I think he said that £40 million was owed to the manufacturers of feeding stuffs. I would add to that the £500 million that is owed to banks and the £80 million that is owed to hire-purchase companies. That shows the seriousness of the matter.

The reasons for the crisis in agriculture have been well documented here, and I do not propose to go over them again. The solutions, of course, are also well known. Some reference has been made to the Ulster Farmers' Union and the Northern Ireland Agriculture Producers' Association. Let us take forward the suggestions that have been made in the debate, and

fully involve those organisations in solving the problems.

A whopping 62,000 people are employed in agriculture in Northern Ireland on 32,000 farms. The market is valued at £2.28 billion, which is 8% of gross national product. The crisis has implications for the wider community. I do not own a farm, but I live in a rural area and am wise enough to know the effect that this crisis will have if it is not dealt with.

I am involved in rural regeneration programmes vital to the future stability of Northern Ireland. They are part of the peace process, and they could be put in jeopardy if this problem is not dealt with. Members have asked questions about who is getting the profit. We have been told that retailers may be creaming it off, but I do not think so. There is a chain of middlemen which needs to be uncovered.

Sometimes we can look to the Republic of Ireland for inspiration. The Government there recognised the problems that large multinational supermarkets would create and put appropriate controls in place. Only last week, one of the largest, Tesco, announced plans to import huge quantities of potatoes. The Government of the Republic stopped this, so there at least, the potato growers can breathe freely for another while.

There are many difficulties facing the agriculture industry. Some of the solutions are long term; the industry needs reinvestment and financial support. Above all, it needs a level playing field. The Assembly should take on board the excellent and very positive suggestions that have been made here today.

Sometimes I wonder why two thirds of the world is starving, while the other third cannot find a market for its foodstuffs. It leaves me bewildered. In supporting the motion, I also ask that the suggestions that the debate be widened and that the Assembly give its support to the agriculture industry as a whole be taken up immediately.

**Rev William McCrea:** No one can overstate the tragedy that is facing Northern Ireland's pig farmers. If this matter is not dealt with, where is the pig industry going? Will we have a pig industry after this crisis? I have no problem with the suggestion that we should have a wider debate on agriculture — I know that there are problems in the lamb and sheep sectors of the industry as well, such as BSE and other related matters. But if we wait to consider and debate the full range of problems in the farming industry, there will be no pig farmers in the Province at all — they will all have gone bankrupt. We cannot allow this to be lost in a general debate on agriculture; the present crisis must be dealt with urgently.

**Mr Haughey:** I did not intend to suggest that consideration of urgent action on the pig crisis should

be delayed until we have a general debate on the agriculture industry. In the course of my remarks, I called several times for immediate action.

**Rev William McCrea:** I accept that, but I feel it is important to make clear that we are dealing with a very serious crisis. There are people in the province who are about to “go over the top” mentally, who are about to commit suicide because of this situation.

The Government, the European Union and the banks must do something now. This is not something that can be dealt with further down the line. They must do something now to help this industry out of this crisis.

The pig industry problem is not a problem the pig farmers created for themselves. It is true that there is overproduction and a glut of pigs throughout Europe. But in Northern Ireland, at the very time when there was overproduction across Europe, the Government and the Department of Agriculture were aiding another processing factory to expand its kill in the Province.

Let us get the facts absolutely clear. The pig industry was encouraged to increase its production here. The Industrial Development Board encouraged many of the pig farmers to take out bank loans so they could put up bigger houses and increase their production. The farmers are innocent of any part in this crisis and should be helped to face it.

The second part of the problem was the fire at the Agivey processing plant which, tragically, took place at a time when the industry was going through problems across Europe. One night 40% of our kill capacity was wiped out. From that moment on, there was a dramatic change in pig prices. On 20 June, when the fire took place, Northern Ireland pig farmers were being paid about 85p per kilogram, a reasonable payback for their hard work. But from that time onwards there was a decrease in the amount that pig farmers were paid.

After the fire at the Agivey processing plant, there was a total lack of communication between Maltons and the pig farmers facing a processing crisis. Any blame ought to rest with those who should have been consulting and assisting the farmers — many of them faithful Maltons producers. But very few pigs — sometimes no pigs — were removed from their farms despite Maltons promise to take 4,000 pigs across the water each week.

Let us look at the facts. There were weeks when not one pig was sent across the water to England. On most weeks it averaged 2,000 pigs — not the promised 4,000. At the time of the fire the pig price was 85p per kilogram. Then it dropped to 78p, then to 60p, and last week to 50p. What else has happened during this time? A grading system was introduced as another way of lowering the price to the producer. One pig producer averaged 46.3p per kilogram, yet pigs, sent to other

factories in the province, fetched 63.52p per kilogram. The difference between what has been paid at Maltons processing plant at Cookstown and what has been paid by other factories in the province is 17.22p. This difference of £12 per pig is a disgrace. While farmers are going bankrupt, someone is making a fat kill. The housewife is not paying less for her bacon, yet the farmers are getting a pittance. They are losing £20 per pig. No farmer can sustain such a loss. The Assembly must identify who is making the profit, and that is why this issue is before us today.

It is interesting that the pig producers in the Irish Republic are paid approximately 10p — £7 per pig — more than the Northern Ireland producers. They are coming from the Irish Republic to the Malton factory in Cookstown and getting £7 per pig more than producers here. Surely there is something wrong with such a situation, even allowing for other fluctuations such as the 2p per kilogram VAT refund. Northern Ireland farmers were getting 50p and under for their pigs while pigs coming from the Irish Republic were worth 59.4p. That surely is wrong at a time of crisis.

The Industrial Development Board is paying money from our Exchequer to ensure that the producers from the Irish Republic get more than the producers in Northern Ireland. In fact 1,000 more pigs were taken in Cookstown from the South of Ireland, thus depressing the market further for pigs produced by Northern Ireland farmers.

To add insult to injury, at the weekend the ‘Mid-Ulster Mail’ and the ‘News Letter’ reported Maltons as saying that it was paying over the odds and that Northern Ireland farmers were getting more for pigs. This came out of a meeting between the Ulster Unionists and Maltons, and the public relations exercise by Maltons was bought hook, line and sinker by someone. Maltons is not paying over the odds. In fact they are undercutting the farmers in my constituency and paying more to those coming from the Irish Republic. I resent that. Also, while farmers here are getting 50p for their pigs, those across the water are getting 70p. This is wrong. We demand equal treatment for our farmers from this company. They should get a just reward for all the hard work that they have put in. It is about time this firm faced the reality that the farmers are having to face.

The Government have done precious little to help the farmers. The French Government in similar circumstances brought in an initial measure for farmers in difficulty and other financial aids, yet our farmers got nothing.

We need to research this issue. The farmer gets a miserable pittance for his pig, the housewife pays exorbitant prices and in between are the processors and the supermarkets. Where is the fat cat? Who is getting



the money? It is about time the housewife and the farmer got their share.

4.30 pm

**Mr McElduff:** A Chathaoirligh, Mr Initial Presiding Officer, ba mhaith liom mo thacaíocht a chur in iúl do na feirmeoirí uilig atá faoi bhrú mar gheall ar easpa straitéise ó thaobh na hÚdaráisí, mar a thugtar orthu, agus mar gheall ar dheacrachtaí áirithe a thit amach ar na mallaibh.

I want to support the motion. Aontaím go ginearálta leis an rún atá idir chaibidil againn. I endorse the comments of other Members who have spoken in this debate. All of us have been well lobbied through our daily contacts with farmers in our constituencies and through extensive correspondence from the Northern Ireland Agricultural Producers' Association and the Ulster Farmers' Union. Farmers are in despair and under tremendous strain. In the past they earned a reputation for complaining, but on this occasion the complaints should be listened to.

The crisis extends across the whole agriculture sector. Cattle and sheep prices have plummeted to record lows, but the pig industry is a special case. The agriculture industry has suffered a succession of body blows and neither the British Government nor the European Union have responded appropriately to the crisis.

Immediate, radical action is needed to arrest the general decline.

There is a tendency towards rural depopulation, a drift from the land. A comprehensive, integrated, rural strategy with agriculture at its core and supported by the EU is needed. That strategy should consider sympathetically the plight of small farmers. It should aim at making small farms viable and try to keep farmers on the land. To make farming viable, it could consider agri-tourism and diversification.

Many farmers are under severe pressure. They wonder whether they have made a wise choice in travelling the road less travelled. Agriculture is obviously one key area where all-Ireland development would be beneficial to everyone, North and South, cross-border, all-island. It suits my party to make that point politically, but it is also common sense. The same could be said of the delivery of the Health Service and on other issues. It is navel-gazing for us to restrict ourselves to the Six Counties in considering the delivery of services or the development of industry. Farmers will not thank us for being myopic in that regard.

Can the relevant agencies increase kill and cure space and slaughter capacity? Is there any scope for the adaptation of meat plants which are presently on low

production? My point about all-Ireland development is pertinent when one considers what happened at Ballymoney. Was it not prudent, from a cost-saving perspective alone, to look south for spare slaughter capacity when there was no readily available spare capacity in the Six County state?

We should stop navel-gazing and look towards all-Ireland development of the agricultural economy. Our farmers will thank us for doing that.

Go raibh míle maith agaibh.

**Mr Kennedy:** I welcome the opportunity to speak on this important topic, which requires urgent attention. I am conscious of the fact that many of the points that I shall make have already been made, but it does no harm to reinforce them. I am concerned not just about the pig industry, but about agriculture as a whole in Northern Ireland. That is because I come from the largely rural constituency of Newry and Armagh. Many of my constituents who are involved in agriculture as a whole, and specifically in pigs, are near the bottom line in terms of livelihoods and in terms of their own lives. We are aware of the worries that they and their families share. It is crucial that the Assembly give urgent attention to their plight. The state of the agricultural economy gives rise to grave concern. Everyone in Northern Ireland ought to be concerned about that because what affects the farmer affects everybody, although I am not sure whether everybody realises that at this time.

The reasons for the crisis have been outlined. The current economic situation has been managed, or perhaps mismanaged, by the Government in terms of high interest rates and so on. There is overproduction of pigs in other European Union member states, and there is no sign of that lessening.

As a result of other crises within agriculture, particularly beef, many farmers went into pigs to try to survive. Unfortunately, they are now in even more dire straits as a consequence. There was the unfortunate fire at the Lovell & Christmas factory and the closure a couple of years ago of the local Ulster Farmers' Bacon Company plant at Newry in my own constituency.

Many of us warned then that it would have dire consequences, resulting not only in the loss of jobs, but in the availability of the local plant that was working well. The plant had worked for over 25 years and, with the exception of one year, had never lost money. Yet it was closed without rhyme or reason. We also had the closure of the plant at Enniskillen. So the unfortunate fire at Lovell & Christmas compounded the crisis that we found ourselves in.

I have grave concerns about the agriculture policy of the present Labour Government. They have proved that they are no friend of the farmer or of agriculture. I am



concerned that this will continue, as there is no sign of any improvement.

We have had a beef crisis; we have had a poultry crisis; and every now and again we get a mad scientist who publicly warns us of another new crisis — potentially in sheep. I wish that Government spokesmen, even if they are academics and scientists, would act sensibly and speak carefully so as not to raise consumers' fears when no real fear exists.

I welcome the limited scheme that was put in place after a lot of toing and froing by the Government, even though it is clearly insufficient to deal with the overall problem. Therefore, I endorse the calls on the Government to bring forward a new more equitable scheme urgently that will address the needs of local pig producers. Other European countries can deal effectively with crises in agriculture and bring forward proper schemes to give real assistance to their people.

I wish that our Government, Her Majesty's Government, would initiate the same arrangements. There is mounting concern that pigs are dying and leaving the farmers in debt to the tune of over £20 per animal, yet there is no decrease in costs to the consumers. We urgently need to find out who is making the money, where it is going and the reasons for that.

We need to address all these issues urgently, and I look forward to the Assembly's playing its part in that. Many in the agriculture industry will be looking to see what leadership the Assembly can give and how it acts on behalf of the industry and in the best interests of the people of Northern Ireland.

**Mr O'Neill:** I support this vital motion. When a topic has been well aired by other Members, one wonders if anything more can be said. One issue that does need to be addressed is the role of the Department of Agriculture, our local Department in all of this, referred to by Dr Paisley as the people down the road in the same campus as ourselves.

It worries me to think that the large number of civil servants, on secure, handsome salaries, have not been able, in spite of all their endeavours, to provide crisis plans for an industry that has already had a considerable number of crises.

What is wrong with having a crisis plan so that European Union funds can be accessed quickly when an industry is affected? Why can imaginative ideas not be introduced to prevent the worst kinds of suffering?

There is a very serious crisis in the sheep industry and, as a representative for South Down and the Mourne sheep farmers, it is incumbent on me to comment on it. This crisis is rapidly becoming as serious as that in the pig industry. I am calling for action — sheep farmers need an emergency deal now.

Mr Kennedy referred to the Government's misinformation about BSE in the sheep industry. Consequently there is alarm in that industry. There is almost the development of a food-scare cult, and some people think it is fashionable to make alarmist statements without realising their disastrous consequences.

The Department of Agriculture could develop a proactive plan — for example, a very practical measure would be the early payment of the sheep annual premium. Indeed, moneys that are currently outstanding should be paid over now.

The Assembly's Agriculture Committee and the cross-border committees will have to scrutinise the Department's lack of imagination. Plans will have to be scrutinised so that they can deal with tragedies such as that faced by the sheep industry.

Hill farmers are also alarmed that Agenda 2000 proposals may lead to the Hill Livestock Compensatory Allowance being removed. Again, the Department needs to provide clarification and assure farmers that that will not be the case.

An average small farmer in my area may have only 100 ewes and 10 cows from which he receives an income of £675 and £1600 respectively — a total income of only £2275 for a marginal hill farmer. There would be disastrous consequences were that allowance to be removed, considering all the other things that farmers have had to suffer in recent times.

I support the motion.

4.45 pm

**Rev Dr Ian Paisley:** We have had a good debate.

There is a reason why we have highlighted the crisis in the pig industry, although I am fully aware, as is every informed Member, that there is a crisis right across the board in agriculture.

There have been times in the Province when individual sectors of agriculture have been under intense pressure. The whole of agriculture is under intense pressure but the most intense pressure, at the moment, is on the pig industry. We have heard in this debate, and rightly so, that there are worldwide pressures. There is a strong pound. We will not be able to do anything about that in time to save the pig industry. These are the facts. The Prime Minister is saying that he is keeping the pound strong, and the Chancellor is backing him up, yet this policy is utter folly — it will destroy the economy and especially the manufacturing industry. But that is the policy and if we wait for a change of heart, we will have no pig industry. That is the sad fact that we have to face. Of course, there are ramifications from Russia and Europe. But if we wait until they are solved, we will not have a pig industry. We need immediate and effective action.

I have my qualms about Europe as everybody knows. But we are in Europe, and Europe controls agriculture. Have we never heard of the Common Agricultural Policy? The Ministry of Agriculture, Fisheries and Food does not make decisions; down the road does not make the decisions — the decisions are made in Brussels. Let us remember that.

If we are going to do anything by way of an Agriculture Committee or an inquiry, we need to go to Brussels to put the pressure on. If we are going across the water, let us go to the Prime Minister. He seems to have little bags of money here and there, and when he gets into difficulty, he throws a few million out.

There is no use in going to the Ministry of Agriculture, Fisheries and Food — the hardest and cruellest civil servants ever brought out of the womb of the Civil service sit in that Ministry, and I do not know whether the good Lord can convert them to a reasonable point of view, though, of course, I believe in the majesty and sovereignty of grace, being a Presbyterian. However, we must take this matter to the Prime Minister and to Europe as soon as possible, because every day men are facing ruin.

A beef producer whom I know now owes £45,000, and he is terrified. He never owed money like that in his life. Another producer in the pig industry owes £25,000 as a result of the last three months. These men cannot live with this. It is terrifying because they always had a viable industry and a cash flow. There is no cash flow now, so some things need to be done immediately and pressure must be exerted to ease the financial worries of farmers.

I believe that this can be done in two ways. One way is to give money direct to the pig producers. There is no use in giving money to the factories. There is no use in giving money to the meal men. We need to alleviate and lift the strain. We must bring hope amidst despair; we must work; we must make demands because if we do not, there will not be a viable pig industry remaining. If the pig industry goes, more parts of farming will be sacrificed. If we allow the British Government or any power to let the pig sector of agriculture disappear, all sectors will be destroyed. We need to go to the authorities and put pressure on them.

We must also talk to the bankers — and I would like the Assembly to do the talking. The bankers were very good at going around the farmers, encouraging them and saying “You know you should do this, that and the other thing — there is money here for you.”

The evil day comes when the bank manager sends for you. We have all had the experience. He looks over his glasses and says, “Your credit is too much — you must reduce it each month”. The man has no way of reducing it. He is at wit’s end corner. We need to make

immediate decisions on those two levels because financial pressure will kill the industry.

This is a serious business and many factors are involved. Some of the pig merchants have been in the industry for generations and they are broken-hearted. At breakfast time there is a shadow over them and at teatime the shadow is still there. We must think of them. If this part of agriculture is torn out of our country where will those people find employment? Where will the pig men and their families go? They will be for ever unemployed.

We can make progress. It will not be easy because the Government always say, “You want more money”. We do want money. We want money to bail out this industry and to keep it going. Slaughtering must be speeded up by those who have got money from the Government to keep the industry going. I have a good personal relationship with the management of Maltons, but I am greatly disappointed by what has happened, and I am making representations direct to the company. We must have action. Some of the people who are suffering were good Malton customers. They were not Wilson customers, and they are feeling the burden and heat of the day. We must push them for action.

**Mr Poots:** Is the Member aware that the supermarkets are marking up pork cuts by as much as 900% and that promotions have been running on imported pork which has not been adequately labelled? Does he agree that if the multinational supermarkets will not back our industry properly, we should not support their major planning applications?

**Rev Dr Ian Paisley:** I agree with my Friend 100%. He asked a strong question at the seminar I attended a few days ago. He said, “Show me the bankers, the producers and the feed men who have gone bust. You cannot show them, but I will show you the farmers who are going bust every day.” He was not liked for that, and I understand that his invitation to a great dinner was withdrawn. So he did not feast at that table.

I beg to ask leave to withdraw the motion because of the procedural difficulty. I do so reluctantly, but that is the way it has to be.

*Motion, by leave, withdrawn.*

## ASSEMBLY: ADJOURNMENT DEBATES

**Mr Weir:** On a point of order, which may guide us for future events.

I understand that for a balloted Adjournment debate the ballot is conducted on a Friday. It would be helpful for Members to know that they had been unsuccessful

in the ballot. Some Members arrived here not knowing whether they would be called in the Adjournment debate although they had prepared for it. It would also be useful if the names and subjects that are to be debated in the Adjournment debate were known by Friday lunchtime by means of an amended Order Paper or a circulated list of the speakers and subjects that are to be raised on the Adjournment.

5.00 pm

**The Initial Presiding Officer:** This matter is resolved on a Thursday evening. There were some 24 applications for this first occasion, and I expect a much larger number in future. The amount of time required to contact everyone on a Friday in order to let them know the outcome will be considerable and if we were to continue in this manner, we would require some additional staff. The information that should have been given was that those Members who were to be called would be contacted on Friday, and if they were not, it was because they would not be there. We could, of course, adopt the mechanism that Mr Weir suggests, but that would have practical implications in terms of contacting everyone, particularly in view of the fact that not everyone is able to be contacted.

**Mr Weir:** I am not suggesting that we go to great expense or hire additional staff, but if the outcome is known on a Thursday evening, a letter could be sent out to members by first-class post on Friday morning, and they would receive it on Saturday morning. That would not cause too much trouble. Alternatively, on Thursday evening could a circular be put in the pigeon-holes of those who have been selected? That would resolve the situation without inordinate expense.

**The Initial Presiding Officer:** It is probably unwise for us to use our time here to discuss administrative matters, save to say that the practicalities of the apparently simple processes have proved to be quite difficult — Members have not been here, they have not been available to collect papers from their pigeon-holes and sometimes they have even been out of the country. However, I take the point; we will look into it. As I said earlier, if there is something unsatisfactory, I would like to hear about it, and I will take it seriously. Please bear with us as we try to be responsive.

**Mr Morrow:** A number of Members are disappointed that they were not drawn in today's ballot, and I accept that not everybody could have been drawn out. Can you confirm, Mr Initial Presiding Officer, that those who have been drawn out will not be able to enter the next ballot?

**The Initial Presiding Officer:** Yes. Whatever goes into the ballot is destroyed at the end of that ballot. If a Member wishes to re-enter a matter, then he needs to do

so. He must contact us, give us the signed slip of paper, and it will then be re-entered.

**Mr Morrow:** I would like further clarification. I am referring to those who will speak today. Can they be included in the next ballot?

**The Initial Presiding Officer:** They can. The usual channels have indicated to me that they hope that those who have had less chance to speak might be more fortunate in the ballot. This is a very difficult matter to deal with, as I am sure Members will understand.

**Rev Dr Ian Paisley:** One thing worries me. Is this ballot run the way the Speaker of the House of Commons runs hers? Or is it a pure ballot — if there is such a thing as a pure ballot?

**The Initial Presiding Officer:** I was somewhat surprised at your terminology of a pure ballot. I have spent some time with the Speaker of the House of Commons discussing some of these matters and have been educated significantly by her in them, but I would not for a moment suggest that there was anything impure about the way she conducts matters in the House of Commons.

**Mr McCartney:** The mockery of a ballot is not something which appeals to me or to my party. Surely there is a better way of ensuring a degree of parity in the opportunities for the Members from the various parties to speak. One accepts immediately that the larger parties should have more opportunity — there is no quarrel with that — but a system which allows, as in this case, one Member from the Ulster Unionist Party, which is the largest party, two from the Social Democratic and Labour Party, two from the Democratic Unionist Party, one from the Alliance Party and none from the other parties to speak is not something that we should recommend.

This is supposed to be an Assembly where reason, equality and fairness prevail, and that certainly cannot be achieved by a common lottery. There are better methods. We are not tied to the House of Commons in this; it may have established a ballot for all sorts of other reasons. In any case, this Assembly is not operating on the same basis as the House of Commons, with a Government and a major opposition party. This is supposed to be a consensual Assembly, and that ought to be reflected by something other than a lottery.

**The Initial Presiding Officer:** It is true that Members are from parties of differing sizes, but the size of the parties bears no relation to the number of applications to speak. There are some parties with many Members and almost no applications, and other parties with fewer Members but with a considerable interest in the matter. That is one of the reasons for the apparent skew that you describe, and that has to be taken into account.



**Mr Molloy:** My understanding was that those who were selected today would not be selected the next time. Secondly, Sinn Féin is not happy with the allocation today or with the method that has been used. As Mr McCartney has said, we must approach this in a way that will ensure representation from all the parties.

Some parties may have made a number of applications judging that in a ballot they would have a better chance of getting some out, but we put forward two on the basis that we had two Members who wanted to speak. We might have been better putting in 20 applications — that would have increased our chances of getting two out, but that would just tarnish the system. We must look again at this method of balloting and find some means of getting representation from across the Chamber.

**Mr Morrow:** Mr McCartney may or may not be aware that he will not be included in the ballot by virtue of the fact that he is the Leader of a party. It will not be a ballot in the true sense of the word, because not every Member will have a chance to take part.

**Mr McCartney:** What Mr Morrow says has no relevance whatsoever to the arguments that I made. In my party we have other Members, such as Mr Hutchinson, whom we heard today, who are quite capable of delivering a relevant and powerful speech. It has nothing to do with whether my name is in the ballot or not.

It is to do with each party having proper representation and a proper pro rata opportunity. After all, if we have imported the d'Hondt system to ensure equality in the selection of Ministers and in the selection of Chairmen and Vice-Chairmen, surely we can devise a better system than a lottery for allowing Members, other than party Leaders, to represent the views of their party.

**The Initial Presiding Officer:** Members must understand that if we do start to operate this on the entirely proportionate basis that is being referred to, Members from quite a number of the parties will not get an opportunity to speak at all in some of the debates. In the debate this afternoon the parties are not being represented on the basis of their size. All parties will get a chance to speak and then subsequently we will try to parcel out the time on a proportionate basis. That means that the smaller parties will get an opportunity to speak at a much earlier stage and more regularly than would otherwise be the case.

I am entirely the servant of the Assembly and will accept whatever system the House chooses. However, it is important to understand that if one chooses another system it may not have precisely the outcome one wants. Let us not forget that this is the very first day we have used this mechanism, which your representatives decided to use on this occasion, and these things usually

work out more reasonably when taken over a period of a few months. Taken over only one day, clearly there will be a skew. If we change it so that in all debates an entirely proportionate basis is used, then it will be rather difficult for me — and part of my responsibility is to try to make sure that smaller parties, independents and dissidents get a chance to speak — to ensure that this happens.

**Mr Dodds:** I am tempted to say that since everything else about this process has been well and truly rigged, it would not be too hard to rig the ballot to suit particular outcomes. The underlying principle should be that everybody gets his fair share and his fair say.

With regard to this fundamental issue about the rights of speakers and how often parties should be represented in Adjournment debates, and also with regard to the point that Mr Weir made about communication with Members, those are matters which should be considered by the Standing Orders Committee. It can look at all these issues and try to come up with a system that is fair to everybody and has a degree of consensus across the parties. This is the best way of handling this issue rather than entering into a long involved debate which will end with the result that a lot of people who have asked to speak will not get to speak. I have no vested interest in this.

**The Initial Presiding Officer:** I appeal to Members to take heed of what Mr Dodds has said. I do feel it is incumbent upon us to ensure that those who are expecting to speak, get a chance to speak, even if that means going a shade over six o'clock.

**Mr McCartney:** This suggestion from the Chair that if you have a lottery it may in some way balance out over time is akin to the argument that if a monkey were let loose on a typewriter and given infinity it would produce all the plays of Shakespeare. The idea that we should be committed to a lottery is something which I find fundamentally offensive. Nor need the rules in relation to Adjournment debates be those that govern the manner in which we deal with general debates, where the practice of giving one Member from each of the parties an opportunity to speak before introducing any proportional methods for the rest of the speakers is working and is generally accepted to be fine. I still make the point that we ought as rational beings to be able to produce a fairer system than that which is produced by random lottery.

**The Initial Presiding Officer:** I want to bring this debate to a close. It has had a fair degree of airing. It should not be assumed that the system which we have had up until now whereby all of the parties have a first bit of the cherry before consideration is given to other Members is universally accepted and welcomed. Such an assumption would be unwise.



**Mr McCartney:** Maybe some of us should get out of the Assembly in those circumstances, if we are not going to be heard, Mr Initial Presiding Officer.

**The Initial Presiding Officer:** It is not a question of people not being heard. I am simply trying to ensure that everyone is fully informed of the reality, which is that it is not entirely accepted all round.

**The Initial Presiding Officer:** Item six on the Order Paper is described as an Adjournment debate. Of course it is not an Adjournment debate as that term is understood in other places. However, we are structuring it in this way, particularly in the absence of Ministers. Twenty-four Members submitted applications to speak and were included in the ballot. Six Members have been selected and will speak for up to ten minutes on a subject of their choice.

*Motion made:*

That the Assembly do now adjourn. — [The Initial Presiding Officer]

## CITY OF BELFAST: DEVELOPMENT

5.15 pm

**Dr McDonnell:** The issue I want to address is the development of the city of Belfast in the widest possible context. Most of us are aware that in the last century Belfast was a tremendous industrial powerhouse, and some of us would like to see it being a powerhouse again — perhaps in the technological sense of the twenty-first century. The one thing militating against that is a tremendous lack of co-ordination across all the Government Departments. I raise the suggestion in passing that when the Assembly gets organised perhaps we should have a Junior Minister for Belfast to co-ordinate work across the Departments, but I will leave that for the moment.

The whole community in Belfast has made tremendous strides in redeveloping and rebuilding the city, in both physical and human fabric terms. I have serious concerns, about the opportunities missed and squandered, just as I am pleased about the opportunities used. I would like to draw attention to some of those concerns, and I hope I will have a chance to debate this at greater length at a later stage.

While there are piecemeal plans, there is an almost total absence of any overview, co-ordination or integrated plan for the development of the city, and that is my overriding concern. There are a number of component parts to any worthwhile development strategy: constructing the physical attributes;

developing a transport system; connecting the education system to the strategy; the economic aspect that involves people rather than bland structures; and generally ensuring that the health and social services underpin the whole thing so that when things go wrong, or when people are either ill or at a disadvantage, they are supported.

I could further subdivide the components, but it is not essential to do so at this stage to make my point. In our system, as I see it, all these parts function independently, and there is little linkage between them. Much, but not all, of the potential synergy is lost at a considerable cost to the city in both financial and human terms. Some five or six years ago, those of us who were on Belfast City Council were permitted to raise a small amount of money from the rates to promote the economic development of the city. We raised £1 million and we used that to unlock a further £1 million of EC funding. Tremendous strides have taken place, with many of the targets achieved across a whole range of programmes, unlocking some of the bottlenecks and providing opportunities for the people. I pay tribute to my colleague Mr Empey, sitting forermost, to use the Ulster-Scots word. He has done an outstanding job in providing leadership, strength and drive.

In the city council we have built our whole agenda around three themes: community economic development; the development of existing businesses; and promoting inward investment where possible. I must emphasise that in most cases we have surpassed our own expectations, and successes range right across the whole spectrum including community projects, those which strengthen our retail sector, those working to build confidence and capacity in small business and those helping to build a formidable network of friends and allies across Europe and North America with a view to supporting the work of the Industrial Development Board.

We have mobilised and encouraged people and empowered them to believe in themselves and achieve their full potential.

I am seriously concerned that the efforts of the council and its staff are often frustrated by what can only be described as a distinct lack of enthusiasm. I have heard others put it much more strongly, using terms such as “lack of co-operation” or “petty rivalry”. In that context I refer to some of the Government’s organs and agencies.

One of the issues that concerns me is European funding. It is great at the moment with structural and social funds. We even had the peace and reconciliation fund. But Objective 1 status is at risk, and the question that must be answered is what happens when the funds run out. Who will organise

the exit strategy and who will be left holding the baby?

I am particularly concerned about land availability and the structured land-use strategy that

we need. Land use is fundamental to any development plan, but we do not have a strategy, and I am not sure whether we even have a complete list of land availability in Belfast.

In addition, we have tremendous problems with the Planning Service of the Department of the Environment. For all sorts of petty bureaucratic reasons, it exerts a stranglehold and obstructs much necessary and desirable development.

There is poor co-ordination between the various subsections of the Department of Economic Development. They all do their own thing, sometimes communicating with each other but often acting like strangers. We desperately need a united, co-ordinated approach. Another concern is the total lack of any transport strategy for the city. We have Translink, Citybus and Northern Ireland Railways, and we all have a lot to learn.

The gasworks development has been left idle for the last two years because of petty obstruction by the planners. First, they said that Belfast City Council had to spend £500,000 on widening the Ormeau Road some 600 to 700 yards from the gasworks site. That project was needed in any case, but they saw the opportunity to lumber the city council with the burden for it. Now that that matter has been resolved, they have blocked the developments because they have decided not to allow any cars on the gasworks site. I am at a loss as to why they insisted on widening the road for cars supposedly coming in and out of the gasworks when it now transpires that there is not to be any adequate car park for those who are there. There are some 1,000 to 1,200 jobs hanging on that bit of petty bureaucracy, and that situation cannot be allowed to continue much longer.

The north foreshore is another issue. Some 330 acres of European prime site would be ideal for a bio-technology park, where the universities could co-operate and we could create a massive web of twenty-first century jobs. The city council has spent over 40 years reclaiming land from the sea and recently spent £20 million on cleaning it up. Some 120 acres of it are now ready for development. It is ideal for the science and technology park that this city and country badly needs. The Department of the Environment has fobbed us off for the past three or four years, saying that the Harbour Commissioners wanted it. We now know that they do not want it; but still we cannot have it. Thousands of pounds worth of methane gas, which could have been used to make electricity, has been blown off that site.

I will briefly mention the D5 and hypermarket developments. Sainsbury's at Forestside has devastated the Ormeau Road, as will the D5 development the city centre. There has been much indecision in relation to the city's southern road approaches and the inner-city distributor box. That box will cut a swathe through the southern centre of the city, from the Grosvenor Road, through Durham Street, Hope Street, Bankmore Street and across through the gasworks, seven acres of which has been blocked because of that.

Finally, I want to raise the issue of the privatisation of the port of Belfast. Will that privatisation be like the airport one, where millions were made? Who will be the beneficiary of the port's privatisation? Some 2,000 acres of the best development land in Europe are attached to the port of Belfast — 600 acres on the Antrim shore and 1,400 on the County Down shore.

This offers the potential for jobs to a much wider community than those ratepayers in Belfast.

Many opportunities have been squandered due to muddle and confusion. I would like to have the opportunity to raise this issue in a more general debate, but I emphasise the urgent need for a co-ordinated strategy here, and I believe it falls to the Assembly to take the lead in this. We should discuss how we can co-ordinate development in this region, and it may be that, in due course, we will need a junior Minister for Belfast.

## EQUALITY COMMISSION

**Mrs E Bell:** I would like to make a few comments concerning the establishment of the Equality Commission.

I agree with some of the comments that were made about the ballot; we do need to think about this again.

Equality is defined as "the condition of being equal with more than two persons in quality or in having strength, ability et cetera". Equity is "fairness" and also recourse to "principles of justice to correct or supplement the law". I start with these definitions because the term "equality" — like many other words, such as "inclusiveness", "identity" and even "peace" — are not always used in the correct way, but rather to support a certain slant to suit other perspectives. In every society, every citizen is different, there are different incomes and living situations, but that should not mean that those who do not enjoy full employment, good health or sound minds should not be equal to, or at least feel equal to, others as regards basic rights and a proper quality of life. We, in this Assembly, have a chance to ensure that all our citizens, whatever their circumstances, have the right

to realise their full potential and to have their place in the sun. However, our hands are being tied by what I believe is the premature setting up of the Equality Commission. The Belfast Agreement stated that decisions on the establishment of this new Commission would be “subject to the outcome of public consultation”. The consultation process produced only 18 replies in favour of the merger out of a total of 123, yet it is still being debated and will become law before the new Assembly is even finalised. It will be cut and dried before the proposed Department of Equality can start its work.

A number of points are still unclear. It has been suggested that the Northern Ireland Office is to allocate a budget of £4.8 million to the Equality Commission. The current budget for the Commission for Racial Equality, the Equal Opportunities Commission and the Fair Employment Commission is £5.5 million. Who will be supervising the allocation of this smaller budget to the different departments of the new Commission? Will that be done by Westminster or by the new Assembly? How will it be administered and how will that affect the staff of the existing equality bodies? These are important points. But I would like to go on to what I consider are more important points. Emphasis is being put on eliminating religious and political discrimination, but there seems to be no clear process proposed for reducing other types of discrimination such as that based on gender, disability and race. The political imperative to focus on equality issues in respect of the two major groups in our community may undermine those of smaller, less vocal groups. For instance, the members of the minority ethnic groups are only now finding a voice through the Commission for Racial Equality and are in danger, along with others who feel that they have a need for recourse to the other equality bodies, of losing out on the attention of the new Commission, which will be remitted to attend to all the different interests.

It is essential that the Assembly is empowered to ensure that this Equality Commission is seen to be fair and to work for all who need it. Rights must not only be protected, they must be promoted. Any downgrading of gender, disability or racial rights should be challenged as patently discriminatory.

Another point of concern is that the legislation, as it stands, could lead to some problems with affirmative action programmes. For instance, certain measures are currently taking place to increase Catholic representation in the Royal Ulster Constabulary. The Bill does not allow for this, but I think it should, as there is a precedent laid down in the provisions of the Canadian Charter of Rights, for example.

5.30 pm

Sex discrimination is another crucial area that needs specific attention. Women, as with those with disabilities,

face the reality of inequality in all areas of economic and social life. The Equal Opportunities Commission has demonstrated that there is still work to be done in the area of equal pay for work of equal value, and it has recently encouraged Government Departments, agencies and local councils responsible for economic development to include a gender dimension in their policy development.

Female Members in the Assembly will agree that the Assembly must adopt such a stance in its own legislative practices. I am glad to note that the shadow Commission is already looking into the possibility of childcare provision for Members and staff.

To conclude, I should restate my concern and the Alliance party's concern at the timing of this proposal to set the Commission up, especially when it is clear that so many organisations and groups have expressed similar concerns. The amalgamation of the existing equality commissions can only suggest a certain lack of confidence on the Government's part that the Assembly will deal with equality issues in a proper fashion. No one is disputing that there should be a review, but it should have been delayed until the Assembly was fully set up, and we also want to think about the new Human Rights Commission.

I am sure that we all want to create a Northern Ireland where citizens can live, work and play in a fair and equitable society without fear or discrimination. The Assembly will play its part and be committed to that goal. The Government should have shown more faith in the devolved Administration's ability to achieve this.

## MID-ULSTER HOSPITAL (ACUTE SERVICES)

**Rev William McCrea:** I should like to raise the retention of acute services at the Mid-Ulster Hospital. Some weeks ago, the Northern Health and Social Services Board decided to follow the Government's line on the Golden Six acute hospitals. In the review, and in response to the Government's request, the board decided to remove the acute services from the Mid-Ulster Hospital.

It was interesting to note that no sooner had the proposal been put by the chief executive of the board — an official of the board — than the meeting concluded. The proposal was accepted and a press release on behalf of the chairman and the chief executive was released immediately. It seems that the decision had been made before the meeting took place. This is not a proper way of dealing with the Health Service and the future health of our people.



On that occasion Mr Baker, an SDLP Councillor from Cookstown, and I made representations to the board. The members listened courteously but were quick to go ahead with their own proposals.

The present review ought to be stopped because its findings will in time prove to be nugatory. Given where the Golden Six hospitals are situated, the principle and the design of that policy is fundamentally flawed and out of date.

The review was commenced under the Tory Government and, when the Tories went out, the new Labour Government permitted it to continue. It may be that the decision about acute services will not be taken by the Labour Government. It may become a responsibility of the Assembly and of a Minister of Health in Northern Ireland. For that reason we should be looking for support for the Mid-Ulster Hospital from within the Assembly.

There are many headings, and one could consider why acute services should be retained as they are. Because of time constraints I can deal with only some of them. The first issue is accessibility. The time that is taken to reach skilled medical attention is critical in all emergencies, and it involves consideration not only of distance but of the condition of the roads and the route to be followed in getting patients to that point of assistance. It is generally accepted that the roads in the two council areas that are covered by the Mid-Ulster Hospital — Magherafelt and Cookstown — are some of the poorest in the Province. Journey times to the hospital, especially from the western half of the district, would increase significantly if acute services were to be placed in Antrim rather than in Magherafelt. The Automobile Association states that it would take 52 minutes to travel from Pomeroy to Antrim as opposed to 22 minutes to Magherafelt, and 50 minutes from Stewartstown to Antrim as opposed to 24 minutes to Magherafelt.

In 1994, the Northern Health and Social Services Board produced a report on the development of hospital services in its area. The report stated that an acceptable journey time was considered to be 40 minutes. The board's 'Customers' Charter' states that, in an emergency, an ambulance should arrive within 14 minutes in an urban area, 18 minutes in a rural area and 21 minutes in a remote area. Obviously, those times could not be complied with if the services were moved from the Mid-Ulster Hospital and placed in Antrim. The life expectancy of the person requiring immediate medical attention is put at risk.

The Northern Ireland Ambulance Service is currently undertaking a study into response times for calls if the rationalisation of acute services proceeds. Under a new system that is currently being piloted in Great Britain, the service will be expected to meet 75% of category A

calls — immediate life-threatening calls — within eight minutes. This is highly unlikely to be the case if the Mid-Ulster Hospital loses its accident and emergency department.

There are travel delays in Toomebridge and although a new bypass is agreed and proposed, it will be several years before that is completed.

We have to consider equity. Cookstown and Magherafelt have fairly high levels of deprivation, and more difficult access to acute hospital services would result in the transfer of costs to those who are least able to pay, thereby reducing access to acute services. That also contradicts the Department's guidelines. Its aims, which are set out in 'Targeting Health and Social Needs', are to reduce inequalities and to ensure that the changes do not increase variations in availability or access to health care. Reduction in services would cause job losses, resulting in a further negative impact on an already deprived area. The transfer of acute services can only increase inequalities and reduce accessibility. That contradicts in practice the Department's statement that

"the effectiveness of targeted resources, programmes and services must be assessed to ensure that they are succeeding in reducing and not inadvertently perpetuating or increasing variation in health and social well-being or in the availability of or access to health and social care".

The Government have stated their vision for the Health Service. It is to provide

"a comprehensive Health Service, publicly funded, publicly operated, free at the point of use and available to all on the basis of need, not on the ability to pay".

If the policy dictated by the review were to be followed then the only safe place to be sick in this Province would be east of the Bann. Your chances of survival, west of the Bann — an area of the greatest deprivation and disadvantage — would be greatly diminished. The situation is totally unacceptable. All you have to do is look at a map of the Province to see that five of the six golden hospitals are going to be east of the Bann. That is not apportioning health services relevant to need or social deprivation.

On behalf of all the people of the mid-Ulster area, from whatever side of the political spectrum they come, I wish to make it clear that existing acute services at the Mid-Ulster Hospital ought to be retained. Failure to do so will result in an increase of inequality as regards access to acute services in the Cookstown and Magherafelt District Council areas. That is unacceptable. There will be longer response times in emergency situations with ambulances arriving outside the stated response times. Journey times will increase by 30 minutes, with some well above the acceptable journey time of 40 minutes, as stated by the Northern



Health and Social Services Board. There is likely to be an increase in mortality rates on journeys to Antrim Hospital. There could be a possible reduction in self-referrals for acute hospital services, further reduction in the significant under-provision of services to the people living in the west of the Province and a negative economic impact on an already deprived area.

God forbid that what happened in Omagh had happened in Magherafelt, had the services been removed. I remember the fight to keep acute services in Omagh. There would have been a vast number of fatalities, and they would certainly have been significantly higher. I want to see our community getting the same acute services as the rest of the Province. In health terms that would be justice for all our people.

## PARADES

**Ms Rodgers:** Thirty years ago a group of people, mostly though not all from the Nationalist community, proposed to parade peacefully into the city of Derry to protest about a system of widespread discrimination based on religious belief and political persuasion. On this day, exactly 30 years ago, that parade was banned. Why? It was after all a peaceful protest, a parade into a city with a Nationalist majority ruled by a Unionist minority.

It was banned because of a mindset which held that Nationalist rights were limited by the extent to which they were acceptable to Unionists. It was banned because of a tradition based on an inequality of power between Nationalists and Unionists, a tradition whereby it was taken for granted that marches by the Loyal Orders and associated with the Unionist tradition had the absolute right to march in town centres, Nationalist areas and Unionist areas. At the same time parades associated with the Nationalist community had to be confined to Nationalist areas.

The Civil Rights march, exactly 30 years ago today, challenged that supposition, and what ensued exposed to the world the system of deep discrimination and injustice which lay at the root of that mindset. It is ironic that 30 years later, at a time when political leaders, many of them coming to terms with the need for change, with the need for equality and for a mutual acceptance and respect for each other's traditions, that the parade's issue is still here to haunt us, so to speak. Indeed, it has the potential to inhibit and to damage the difficult process in which we are engaged. However, it is not surprising because the parades issue symbolises the very inequality that has lain at the heart of Northern Ireland's troubled history.

5.45pm

Drumcree is not about a 15-minute march down the Garvaghy Road; it is about a demand for change and equality on the one hand and the fear of change and the resistance to that change on the other.

The 5 October march in Derry was a protest about real grievances as the Cameron Commission subsequently confirmed. It was not part of a plot to subvert the state. In the same way, the conflict in Portadown arises from a real sense of grievance born out of the experiences of a small Nationalist community in a large Unionist town, a community to which it has been clear over the years that their rights must be restricted and not equal to those of the majority.

The Portadown District of the Orange Order failed to recognise that there is no such thing as an absolute right, that all rights must be exercised with due regard for the rights of others and that all rights carry responsibilities. It is in a situation such as that at Drumcree that a conflict of rights can only be resolved through dialogue and accommodation.

I have no doubt that the sense of grievance felt by sections of the Unionist community about the Drumcree situation is real and strongly felt. Undoubtedly the changes to the status quo proposed by the Good Friday Agreement are seen by some as threatening. It is a pity that an agreement which represents a balanced approach to the rights of both Unionists and Nationalists, an agreement at the core of which lies the principle of consent, continues to be represented by some as a threat and a sell-out.

To portray the re-routing of parades, as has been carried out this summer, as an attack on the cultural heritage of Unionism is a gross distortion of the reality. Of the 3,242 parades that were notified this year — I repeat: 3,242 — only 2% were restricted, and those restrictions were imposed in areas where dialogue had either failed or had not even been attempted.

The emphasis this year has been on the Drumcree situation and the running sore of Portadown. On a more positive note, and there have been positive notes, I have no doubt that the courageous voice of the Rev William Bingham speaks for many in the Orange Order who have been appalled at the events surrounding Drumcree. The small turnout at recent demonstrations sends a clear message as well.

**Mr Berry:** Will the Member give way?

**Ms Rodgers:** I will not as I have not got much time left.

I read in today's 'Irish News' that a Church of Ireland Archbishop and Bishop and 150 clergymen have publicly voiced concern and deep unease about

the events surrounding the Drumcree church service in recent years. That is a welcome development as well.

Over the summer potential flashpoints have been defused from Derry to the Ormeau Road and Dunloy where common sense prevailed, where both residents and Loyal Orders, to their credit, reluctantly accepted unpalatable decisions in the

interests of the common good. And that was true of both sides in those areas.

Another positive note to have been struck recently was the decision by the Ballynafeigh Orange Lodge to hold a seminar at which Nationalist, Unionist and Loyal Order views were expressed. I would encourage that. And a further step forward would be to engage in dialogue with the local residents.

However, I will return briefly to the situation in Portadown and to the fact that the Orange Order still refuses to enter into dialogue. Stand-offs, demonstrations and confrontations continue. We saw the consequences of that in 1996 and 1997, consequences with which we are all too familiar. This year we witnessed the surreal spectacle of Army reinforcements being helicoptered into a field at Drumcree in support of the RUC.

The relatively small Nationalist area of Portadown was surrounded by steel barriers and protected by troops and police. A visitor from Mars might have concluded that the third world war had begun. The stand-off and vicious nightly attacks on the security forces went on for over a week, all because a group of men persisted on returning from church through an area where they were not welcome rather than along the alternative route from which they had come. Where was the sense of proportion?

**Mr Boyd:** On a point of order, Mr Presiding Officer. There is an implication that the Orangemen were responsible for attacking the police, which is absolute nonsense.

**The Initial Presiding Officer:** That is not a point of order.

**Ms Rodgers:** Regrettably, it has not ended there. For three months now the Nationalist community in Portadown has suffered intimidation and harassment. It has even been suggested by a representative of the Orange Order that the harassment could stop if they were allowed down the Garvaghy Road. The implication of that is clear.

Three Catholic-owned businesses in Portadown have been burnt down and others have been threatened; all of the town's traders have had their trade seriously affected; and a young policeman lies in hospital with serious brain damage. He has a young wife and three children, and he is fighting for his life.

Who gains from such a situation? Not the Nationalist nor Unionist communities; not the traders; not even those who continue to protest and demonstrate; and certainly not Frank O'Reilly — the young policeman — or his wife and baby and two other children.

Surely it is time to stand back and apply common sense. It is time for the local leaders of Unionism to support publicly the need for dialogue. Surely the experience of the previous three decades is enough to prove to us all that violence and confrontation compounds our differences and ensures that everyone pays the price.

We are together here today, but our differences have not gone away. I hope that during the talks some of us have come to a better understanding of each other. We have agreed to disagree in some areas, but we have committed ourselves to working together to resolve our remaining differences. None of us is less true to himself for doing that. Entering into dialogue is not giving way on fundamental principles; it is a recognition of the reality that conflict cannot be resolved any other way.

The failure to break the deadlock over Drumcree must be addressed. It is unacceptable and intolerable that a small, unelected group of men in Portadown should continue to hold both communities to ransom simply because they will not enter into dialogue.

**Mr Dodds:** I wish that I had the time to deal with that subject. Is it not ironic that it was wrong to use the full force of the state to stop a parade in 1968, but it is right to use it now in 1998? That was an interesting commentary on how things have moved forward for Ms Rodgers.

**The Initial Presiding Officer:** I am intrigued by the connection between this and the subject on which you have chosen to speak.

## WHITEABBEY HOSPITAL

**Mr Dodds:** I want to speak about the future of Whiteabbey Hospital, although Rev William McCrea has already dealt with some of the broad issues, because the hospital to which he referred falls under the same health and social services board as Whiteabbey Hospital.

One of the issues for many people in the North Belfast, Newtownabbey and south-east Antrim areas is that while more than 50,000 people signed a petition at the start of the year outlining their opposition to some of the board's proposals, there does not seem to have been as much attention paid to that as to other hospitals. That is why I am taking the opportunity to raise this matter.

I want to appeal to the Minister. It has been assumed that the Assembly will have the final say on some of these issues, and I hope that that will be the case. However, that is not absolutely certain, and the message from the Assembly must be that the elected representative should take the decisions that will affect the provision of health care.

It should certainly not be made by the Minister in advance of a full debate and consideration of all the issues by the relevant Committees and the House itself.

It is easy to say this hospital is special, that it is a local hospital providing essential services. Everybody can make a case for a local hospital or a local school, so it is important to look at the issues as objectively as possible. I would therefore seek to measure the decision that has been taken by the Northern Health and Social Services Board against the criteria which it has adopted.

This is a reasonable approach and better than adopting criteria of our own choosing. There were five key criteria used by the Northern Health and Social Services Board in relation to the future of acute and emergency services and medical and surgical in-patient services in hospitals in its area. There were initially three options and option three has proved successful. All options involved severe downgrading of services available in the Mid-Ulster and Whiteabbey Hospitals. Accident and emergency services and medical and surgical in-patient services were to be removed under all options.

But let us turn to the five key criteria: ensuring high quality care, access to appropriate local services, efficient delivery of care to meet patients' needs, equity of access to care and patient-centred care services. These are sensible, reasonable criteria. But how were they applied in the case of Whiteabbey Hospital? Now with high quality care, every hospital authority throughout the United Kingdom is looking at the question of centralisation. What is the best way to provide high-tech services, acute services and accident and emergency services?

**Mr Hilditch:** I agree with what has been said by Mr Dodds. Whiteabbey Hospital's catchment area straddles three Assembly constituencies: North Belfast, South Antrim and East Antrim. The recent decision by the board about services comes as a great surprise. There is disappointment and grave concern in Carrickfergus and Newtownabbey that the whole Assembly constituency of East Antrim will be left without adequate medical or emergency services.

**The Initial Presiding Officer:** May I interrupt on two counts. It is quite proper for Members to ask to intervene, but we are in danger of allowing Members to take the opportunity of their Colleagues speaking to

speak by intervention. It is a little unfair to the Member who is speaking as well as to other Members.

It was intended that this sitting would end at 6.00 pm, but a short extension would enable Mr Dodds to finish his speech and Mr Wilson, the last Member on my list, to make his. Do Members agree to that course?

*Members indicated assent.*

**Mr Dodds:** The points that my Colleague made about Carrickfergus, Larne and Newtownabbey were well made, and the people in those areas will be grateful to hear that the Member made them on their behalf. I hope, Mr Initial Presiding Officer, that you took care that my time will not be reduced.

In relation to the point that I was making about high quality care and so on, this sort of process has been happening throughout the United Kingdom for some time.

Many people who are dealing with the Whiteabbey Hospital situation are annoyed because it seems that the decisions were taken some time ago. There has been much investment in the Causeway Hospital, and in the new Antrim Hospital and, as a result, there has been no investment in the Whiteabbey Hospital. There is a feeling that the process is under way and that there can be only one possible outcome.

There is a parallel with the Tower Block in Belfast. As soon as such a building is in place, many other decisions inevitably and consequentially flow from it and there are financial consequences. The guiding principles should be need and what best serves the communities in those areas. That is the approach that we should adopt to all these issues. I hope that the Assembly will have an opportunity to adopt that approach, and that we will not be presented with a fait accompli.

Another matter is that of ensuring access to appropriate local services. Rev McCrea has already dealt with some of the issues in relation to transport and so on. The Northern Health Board proposes that local services will be provided under option 3, but it makes no attempt to define the range of investigations, procedures and treatments that could be provided within key settings, such as minor casualty services. It deals with that in a broad-brush way, and many people will want to see detailed recommendations before they are prepared to give their assent.

The third criterion is to ensure effective delivery of care in keeping with patients' needs. We know about travel time in relation to rural hospitals. It applies equally to Whiteabbey Hospital because its catchment area contains some of the largest and most deprived housing estates in Northern Ireland. Some people do not have access to a car or other transport, some depend on

public transport, in which there are many deficiencies and difficulties.

The Ambulance Service has not been improved in line with proposals and suggested changes. It is essential that improvements to the Ambulance Service are made before there is any relocation or centralisation of accident and emergency services. There should be a review of the impact of any relocation or change in services to find out how people would get to hospitals.

Public transport should be looked at. The policy appraisal and fair treatment review reported that travelling time for more than 70% of people would be significantly increased, yet about 40% of all patients of Whiteabbey Hospital have no car or access to one. All issues must be considered before decisions are made.

Do patient centres and care services offer value for money? It is disturbing that we will be asked to approve more than £40 million to bring about changes. Nobody has been able to demonstrate to the Whiteabbey Hospital action committee or to me the economic advantages. I should like to know how much extra it will cost.

6.00pm

The final issue is implementation. The board's document refers to consultation with local people, although it seems that the board is not listening to local people at all. It has brushed their concerns to one side. It also makes it clear that the local GPs will be consulted. I have spoken to some of the local doctors, and they say that their contribution will be essential if this alternative of a community-style hospital is to work. So far, they have not been consulted. Before anything more is done, they should be consulted.

I am concerned about the historical investment pattern that has led to major investment in Antrim and Coleraine. In saying that, I do not disparage those two fine hospitals. There should be necessary improvements to ambulance services and public transport, and the board should clarify to everybody's satisfaction the advantages and disadvantages of transferring services to other hospitals.

## POLLUTION

**Mr J Wilson:** I am the last to speak, but since my name begins with W for Wilson, that is not unusual except, of course, when I top the poll.

Before commenting on the desirability of restructuring the Department of the Environment, I should declare a personal interest. My long-standing involvement with the angling fraternity has brought me

face to face with numerous pollution incidents in the Province's river systems. Some of these have been relatively minor, but others have proved totally destructive.

Even those Members who might not list fish kills following pollution incidents as being items at the top of their daily political agendas cannot, in recent times, have escaped hearing the news of disasters which have hit the River Bush, the Upper Bann, the Blackwater and the Sixmilewater, which is in my constituency. There was also another incident elsewhere, just a couple of weeks ago. I could go on — the killing is endless.

My close association with the Ulster angling scene and the condition of our waterways could, of course, be seen as a narrow and specific interest, but I feel that it heightens one's appreciation of the whole spectrum of environmental degradation and highlights the concerns of other environmental interests about matters such as planning, industrial infrastructure, the impact on tourism, the marine environment, wildlife, farming practices, and so on.

In recounting a little story I want to make a serious point. An individual who wished to make contact with the Friends of the Earth organisation telephoned the Department of the Environment to enquire about telephone numbers and received the testy reply "Look, this is the Department of the Environment, we are no friends of the earth".

The widespread popular cynicism concerning the sincerity of numerous governmental assertions about protection of the environment is, I believe, well founded. Many issues are facing this Assembly, but I feel that a concerted drive to protect, and be seen to be protecting the environment, properly and effectively, would receive enthusiastic support from all parties and the majority of the electorate.

The Ulster Unionist Party has long argued that the poacher and gamekeeper structure, which was highlighted in the Rossi Report, should end, and let me say that I am not satisfied that yet another executive agency should be the model to be considered.

If Members have not read a Northern Ireland Audit Office report published in April this year on the control of river pollution, they should obtain a copy; it makes very interesting reading. I am not interested in engaging in some form of Department-of-the-Environment-bashing contest. I want to see efficiency in all areas of Government but that efficiency must not be achieved at the expense of accountability.

Here is what the Ulster Angling Federation said about the Comptroller and Auditor General's report earlier this year:



"This scathing report comes as no surprise. It confirms what anglers have known for years. Raw sewage periodically enters most of our rivers from treatment works and storm overflows. Consented discharges to our rivers from industry often fail to meet conditions imposed and are often ignored by the agency which is supposed to protect the rivers — the Department of the Environment.

On the rare occasions when prosecutions are taken, the courts impose derisory penalties when the maximum fine is £20,000. The poacher/gamekeeper situation whereby the Department of the Environment's Water Service is policed by the Environment and Heritage Service — another Department of the Environment agency — must change.

England, Wales and Scotland have environmental protection agencies independent of Government. We suspect that if Northern Ireland had an independent agency, it would expose the disgraceful state of most of our sewage and water treatment plants and would be a major embarrassment to Government.

Lord Dubs recently announced that much of Northern Ireland's sewerage system was close to collapsing and that an extra £50 million per annum was required to bring the system up to standard. This is a welcome recognition by the Government of the problem, and a change from a succession of Ministers who could only talk about a clean and a pleasant land where sewage treatment plants smelt like roses."

I am reluctant to argue for a simple division of the existing Department, and while I favour the concept of a powerful watchdog body, I most certainly have no intention of creating a new quango. My point is that we do need a vehicle empowered to be the effective guardian of the natural environment.

We need to get this right, and we should be prepared to take a little time to do it. There are subject areas within the existing Department which are properly the

remit of local government. If these were to revert to local government — and that begs a further question regarding the possible changes to the existing local government structure — then self-evidently such areas would not need to be covered by branches of the Department of the Environment, nor for that matter by executive agencies.

It seems obvious to me that there are existing branches and agencies in the Department of the Environment which could be transferred to other Departments. One might cite for example the Public Record Office and Land Registry, which could be returned to their traditional home in the Department of Finance.

Maybe we should focus on maintaining an environmental Department centred around an existing branch to deal specifically with environmental conservation, protection and preservation. Such a department would have an environmental impact assessment role in respect of all other Departments, but this role could not be permitted to become a process of bureaucratic strangulation of the function of the other Departments.

Herein is the nub of the issue. I recognise that there are many possible permutations, and I do not want to run headlong into change for the sake of change. I want, through consultation, to arrive at a situation whereby environmental protection in Northern Ireland becomes an example to the world of how things should be done. While sharing the impatience of others to get on with the job, I would caution against undue haste in respect of any piecemeal revamp or interim or temporary change.

The people of Northern Ireland deserve value for money, given that they have had some 30 years of an ever expanding public-service sector which fails my test of efficiency and value for money.

The Assembly was adjourned at 6.13 pm.



# THE NEW NORTHERN IRELAND ASSEMBLY

**Monday 26 October 1998**

*The Assembly met at 10.30 am (The Initial Presiding Officer (The Lord Alderdice of Knock) in the Chair).*

Members observed two minutes' silence.

## PRESIDING OFFICER'S BUSINESS NOBEL PEACE PRIZE

**The Initial Presiding Officer:** This is the first meeting of the Assembly since the announcement that two of its Members have been awarded the Nobel Peace Prize. I wish to offer my heartiest congratulations to the First Minister (Designate), Mr David Trimble, and the Leader of the SDLP, Mr John Hume. This very high honour is a joint reward for both Members' considerable efforts for peace, and it brings great distinction upon them and, indeed, upon their families, their colleagues and the Assembly. This award from the world community is an extraordinary achievement.

**The Deputy First Minister (Designate) (Mr Mallon):**

It is my great pleasure and privilege, on behalf of the SDLP and, I believe, the entire Assembly and all the people of Northern Ireland, to offer congratulations to the two Nobel laureates. Both recipients have shown, by their political acumen, courage and tenacity, that we have to translate the concept of this thing called peace into something very precise.

This is a signal honour, not just for the two men but for all of us and for the entire community that we represent, and an indication of the international concern and goodwill that there is for the position of the North of Ireland. It is, I believe, a recognition that the terrible days of turmoil, strife and violence are over and that we are now entering a new era.

I congratulate both men very heartily and wish them well. They have brought honour to themselves and to all of us, and in doing so they have contributed even more to the prestige that goes with that honour. All Assembly Members should take great pleasure from the fact that two of our colleagues have been honoured in this way.

I take particular pleasure, as Deputy First Minister (Designate) and as Deputy Leader of the SDLP, in serving with two Nobel laureates. This is something of a track record and something, I think, that will prove to be unequalled. I congratulate them, I wish them well and I thank them for a job well done.

**Mr Empey:** I endorse what has just been said by the Deputy First Minister (Designate). I offer congratulations on behalf of the UUP to both the First Minister (Designate) and Mr Hume.

Over the years, international involvement in our affairs has been received with a mixture of pleasure and concern. I know from a Unionist perspective that we have often found international involvement a negative influence. However, it has to be said that we have all underestimated the extent to which the eyes of the rest of the world have focused on Northern Ireland.

It is hard to understand why so many millions of people all over the world feel that events here have relevance to them. In that context, the recent tours that both Ministers have undertaken on our behalf in North America, of which we will hear more later, are perhaps an indication of some of the long-lasting benefits that can come to the people of Northern Ireland as a result of this honour.

At a personal level, it must be hard for both recipients to grasp what has happened. We must remember their families, for they have endured the strain of work over many years, and this honour is a tribute to teamwork. On behalf of UUP Members, I wish Mr Trimble and Mr Mallon every success. We are delighted at what has happened, and I have no doubt that, with the international interest that has been generated by the award and the endorsement that it brings, not only the two recipients but all the people will benefit from it.

**The Initial Presiding Officer:** The Minister of State—

**Mr Adams:** *rose.*

**The Initial Presiding Officer:** Mr Adams. *[Laughter]*

Let it be understood that I am not connecting "Minister of State" with "Mr Adams".

**Mr Adams:** That is just slightly premature for me. Mo chomhghairdeachas fosta leis an bheirt fhear. Tá mé sásta go leor go bhfuil an bronntanas seo ag teacht go hÉirinn. Is rud iontach é sin.

I also offer my congratulations to the First Minister (Designate) and to Mr Hume. It is good that this award is coming to Ireland and that the work in the process so far is being recognised. I have particular regard for what Mr Hume has done over a long period, and I wish him and Mr Trimble well. On behalf of Sinn Féin, I extend best wishes to their families. I hope that the award will

be a catalyst for the movement that is required for a democratic peace settlement. Well done, and good luck.

**Mr Neeson:** On behalf of the Alliance Party, I heartily endorse the remarks of other Members. This prestigious award is a great tribute not only to Mr Hume and the First Minister (Designate) but to the people of Northern Ireland, who can be proud that it has come to the province. The peace process is about taking risks, and all Members who have been prepared to take risks to move it forward can take great pleasure in the award. We all appreciate the difficulties. We have taken risks in the past, and the award should be a spur to future risks to ensure the establishment of a fully democratic Assembly for all the people of Northern Ireland.

### ASSEMBLY: STANDING ORDERS

**The Initial Presiding Officer:** The Minister of State, Mr Murphy, has written advising me that, in accordance with paragraph 10(1) of the schedule to the Northern Ireland (Elections) Act 1998, the Secretary of State has determined two additional Standing Orders which deal with essential preliminaries to the formation of an Executive.

The first of these additional Standing Orders relates to party lists and nominating officers. It incorporates changes that have been proposed by the Committee on Standing Orders, which are designed to reflect Government amendments to the Northern Ireland Bill.

The second additional Standing Order also reflects amendments and proposed amendments to that Bill. It is designed to ensure that any proposals regarding ministerial portfolios (designate) during the shadow phase are presented and handled in a way that will be consistent with the provisions of the Bill.

I have arranged for copies of this letter to be placed in Members' pigeonholes, and I shall be writing tomorrow to nominating officers on the question of party lists.

**Rev Dr Ian Paisley:** Some of us received a letter late last week, and we have had no opportunity to comment on it. The DUP entirely disagrees with the Joint Chairmen of the Committee, who told us in the letter that they did not intend to call a meeting to discuss matters. In their opinion, the letter reflected the view of the Committee, and not the views of the DUP or those of some other parties that are represented on the Committee.

It is the duty of the Joint Chairmen, irrespective of their private and personal opinions, to refer such

matters to the Committee. I do not propose to say anything further now, but I look forward to a meeting of the Committee at which my party and others of a similar view will be able to voice their opinions. However, the Government are using the Bill that is going through the Lords and the Commons to make changes which will copper-fasten their idea of how the Assembly should work. The amendments that have been made and those that are proposed are intended to curb the authority and the strength of the Assembly.

*10.45 am*

**Mr Foster:** On a point of order, Mr Initial Presiding Officer. In this week's 'Observer' Dr Conor Cruise O'Brien referred to a green, white and orange tint in the UKUP. Have you received notice to the effect that the UKUP has changed its name to the United Ireland Party?

**The Initial Presiding Officer:** That is a most ingenious point of order.

### ASSEMBLY: STANDING ORDERS

**Mr Cobain:** I beg to move

That the Assembly takes note of the progress report prepared by the Committee on Standing Orders.

The Committee has now built substantially on its interim report of 14 September, and it falls to me, as co-Chairman, to present this report.

I thank Mr Denis Haughey for his hard work, dedication, co-operation and skill as co-Chairman. I thank the other members of the Committee for their great application to, and appetite for, the subject. Our appreciation is due also to those Members of the Assembly who acted as substitute members from time to time.

Almost one third of the Members of the House have served at one time or another on the Standing Orders Committee. Contributions to our work, and support for it, have been extensive. A full list of those involved appears in our report, and I would like to thank all who contributed — there was never a shortage of opinion. We are also indebted to Mr Murray Barnes and Mr Denis Arnold for their hard work, dedication and patience in the preparation of this report.

The Committee's terms of reference were to assist the Assembly in its consideration of Standing Orders and to make a report. We presented an interim report on 14 September and undertook to provide the Assembly with a more substantial report by today.



The Committee has a maximum membership of 19, and this has become our working membership, as we have had an excellent attendance record. When we last reported, our membership was 18, but at the Committee's behest the Secretary of State changed the Initial Standing Orders so that the United Unionist Assembly Party could be given a seat. The Assembly brought the change into effect following formal recognition of the United Unionist Assembly Party. The Committee's structure is otherwise the same as was outlined by Mr Haughey in his introduction to the debate on 14 September.

This is not our final report — there are so many imponderables. Most of those relate to the ever-changing Bill, although there are other issues on which we have yet to agree. Our work is unfinished, and circumstances dictate that it cannot be finished for some time. We have identified 15 areas to be revisited. These are listed at Appendix C. We are aware that some of what we have done will require further consideration and attention. However, we have made substantial progress, and many of the Standing Orders in this report could reasonably be adopted now, regardless of the final shape of the Bill. We have agreed almost 40 Standing Orders covering a wide span of Assembly operations and business.

We have written to the Whips on the matter of the order in which Members should be called to speak. We have had two replies, for which I am grateful. We keenly await the others. Members will note in our report the positive response from Mr Murphy to our suggestions on the additional Initial Standing Orders.

A number of problems have arisen because of the diversity of source material, as was inevitable.

Issues such as the order of Rules and the cross-referencing and inconsistencies in them will all be taken care of in due course. Indeed, problems and inconsistencies may have existed in some of the source material itself. For example, we will be returning to areas such as the categories and functions of Committees; decisions on the utility of material where a choice has to be made between options (for example, draft 33); the consideration of construction, grammar, et cetera; and the need for more precise definition (for example, in relation to references to the Assembly, which in some cases may mean the Chamber, and in other cases may include the precincts beyond it).

The report before us is a progress report. It is the product of much hard work, and I commend it to the Assembly as a major step forward in the process of finalising a comprehensive volume of Standing Orders.

I look forward to any constructive comments or points Members may wish to make. We will consult

where necessary to quality proof what we have done and what we have yet to do, as we do it.

**Ms Rodgers:** I want to refer to the Standing Order which says that Members may speak in the language of their choice. The equality section of the Agreement, which we all signed up to, makes it very clear that diversity of language is a right and that the Government are committed to facilitating and encouraging the use of Irish and Ullans as minority languages in Northern Ireland. In addition to that the Government are committed to signing up to the Charter for Regional or Minority Languages. Therefore there is a requirement to facilitate those who wish to speak in either Ullans or Gaelic in this Chamber.

It is not within the remit of the Standing Orders Committee to make the necessary arrangement, save to have a Standing Order which states clearly that Members may speak in the language of their choice. In order to marry that to the commitment in the Agreement, it will be necessary for instantaneous translation to be made available. Otherwise using the language of his or her choice will disadvantage the Member who is speaking. *[Interruption]*

Some Members opposite should have some respect for the point of view of a person who was reared in an Irish-speaking area, who spoke Irish as her first language and of whom the language is a very important part. Indeed, that applies to many people in Northern Ireland who did not have the advantage of learning the language early in life but who have gone to the trouble of learning it since. It means a lot to them as part of their heritage and should be respected by all Members. Indeed, the same applies to the Ullans language.

**Rev Dr Ian Paisley:** It is amazing that the Leader of the SDLP sits in the European Parliament and has never mentioned this matter, for Irish is not a working language of that body.

**Ms Rodgers:** Dr Paisley should remember that the first motion that the Leader of the SDLP put before the European Parliament was about the need to protect minority languages. That led to the setting up of the ARFE Committee, which, in turn, led to the signing of the European Charter for Regional or Minority Languages, which is about to be accepted by the British Government. The Leader of the SDLP made it very clear from the beginning that he recognised the importance of language as part of our heritage and was committed to doing something about it.

To allow us to operate under the Standing Order without disadvantaging those who want to speak in Irish simultaneous translation is required. Without this, those who speak in Irish will have to use part of their 10 minutes to translate or else leave those who do not

understand Irish in ignorance of what they are saying. And therein lies the disadvantage.

Those on the other side of the Chamber who are crying, “Hear, hear” are indicating that they are not interested in knowing what people are saying. Perhaps that has shown over the years. If people would develop not just an ability to listen but a willingness to listen to others, this community would be much further on.

**Mrs de Brún:** Tá mé iontach mí-shásta nach bhfuil mise ábalta nó nach bhfuil an Teachta seo ábalta labhairt ar an ábhar seo, ábhar a bhfuil tábhacht iontach ag baint leis mar atá scríofa sa Chomhaontú, nach bhfuil muid ábalta labhairt ar an ábhar seo gan chur isteach mí-mhúinte ón taobh eile seo. Tá sé go hiomlán as ord agus ní thig liom glacadh go bhfuil daoine sásta ligint dó seo dul ar aghaidh. Deir sé sa Chomhaontú nach mbeidh bac curtha i slí dhaoine atá ag iarraidh an Ghaeilge. *[Interruption]*

**Mr Maskey:** Mr Initial Presiding Officer, you should be exercising your responsibility and calling for order for those who are trying to speak. I am very dissatisfied with the way you are chairing this sitting.

**The Initial Presiding Officer:** I have two things to say. First, I have indeed called for order. I fear that there is disrespect at times both for the Chair and for each other. Secondly, I reprimanded a Member who intervened during a previous sitting, not so much because he made an intervention as because he was in effect making a speech. When a Member intervenes there should be respect for the Member who is speaking as well as for the convention of the intervention. It is not an opportunity for a full speech.

**Mr McCartney:** On a point of order, Mr Initial Presiding Officer. Is the question of instantaneous translations of Irish and English not a matter entirely for the Commission dealing with the fabric and facilities in the House rather than for the Standing Orders Committee? It is the report from the Standing Orders Committee which is the subject of this debate, not matters that are within the remit of the Commission.

**The Initial Presiding Officer:** It is entirely in order for the Standing Orders Committee to consider this matter, and it would be quite in order for that Committee to establish a Standing Order on it or on any similar matter. But if it were to do so, the question of where the funding would come from would arise.

At this juncture, funding would not come from the Assembly Commission, for it is only a Shadow Commission. It would have to come from the Secretary of State. If the Assembly wanted to proceed along those lines, there would have to be a Standing Order to deal with the matter. That would be entirely proper. But even if there were no Standing Order, there is nothing to prevent facilities from being provided by the State. That

is not a matter that I can rule upon. I can only rule within the Standing Orders to the best of my ability, and I have already done that.

**Mr Dodds:** On a point of order, Mr Initial Presiding Officer. The Member keeps referring to a Standing Order on languages, yet she intimated earlier that she could not find it. Perhaps the reason is that there is no Standing Order in either the Initial Standing Orders or this report which deals with the subject of languages.

The only reference to languages was that made by yourself at the first sitting of the New Assembly. Therefore you should make a ruling about the contents of this Member's speech, which are not relevant to the Standing Orders being debated or to the Initial Standing Orders.

*11.00 am*

**The Initial Presiding Officer:** Mr Cobain's introductory remarks referred to the series of issues which have not yet been completed and have to be discussed further. Having read the Committee's minutes, I understand that language is one of these issues. Therefore it is not improper for the question to be discussed at this point. It could be of help to the Committee to know the mind of the Assembly as it continues to consider the matter.

**Mr Fee:** It is mentioned on page 62 at Annex C and is listed as one of those matters to be dealt with by the Standing Orders Committee.

**Mr Dodds:** The point is that it has been referred to as a Standing Order. However, there is no such Standing Order, nor is there any such draft Standing Order.

**The Initial Presiding Officer:** Let me repeat my earlier ruling. It is part of the Committee's business and the members have discussed it. While there is currently no Standing Order, it is entirely proper that the matter should be raised and debated.

**Mr Hussey:** Will Members be made aware of the cost of installing simultaneous translation facilities?

**The Initial Presiding Officer:** This is not a point of order.

**Mr Hussey:** I am seeking information.

**The Initial Presiding Officer:** I must ask Ms Rodgers, who has been unable to speak because of repeated interventions, to continue. Should Mr Hussey wish to intervene he must ask her permission.

**Ms Rodgers:** I will certainly seek to address the Member's question if it is genuine.

**Mr Hussey:** I have already asked my first question. Secondly, I understand that Irish language experts have

difficulty understanding some of the statements made in Irish. How is that to be overcome?

**Ms Rodgers:** I failed to get the drift of Mr Hussey's second question because of the noise coming from the other side of the Chamber. In response to his first question I can say that the matter is being looked into. At this stage we understand that a simultaneous interpretation facility would not require any significant rewiring of the Assembly Chamber. The latest equipment operates by infra-red beam disseminated by a number of electronic plates. What is said is picked up by a small battery-driven unit. It would therefore not be costly.

The commitment made to this in the Agreement is important, and should some small extra expenditure be required, there should be no quibbling about it. We either signed the whole Agreement or we did not, and those of us who did must be committed to it.

**Mr Paisley Jnr:** Will the Member give way?

**Ms Rodgers:** I will not give way again.

It is to be regretted that there are Members who see the important issue of the Irish language as something to be used as a political tool. The Irish language is an important part of all of our cultures. Indeed, many of the Members who are so vociferous in denigrating it have surnames which are derived from that very language. For instance, McCrea is probably one, and Maginnis — who is not a Member here — would be another. Furthermore, many place names are Gaelic, irrespective of our political persuasion.

The Shankill Road is, of course, the most obvious one. Another is the townland of Drumnahuncheon in Armagh. Irish names are part of our heritage, and it is regrettable that some people see Irish as something to mock at and be derisive about. *[Interruption]*

I am waiting for a little silence so that I can continue my speech.

It is important that we all recognise the things that are important to each other and respect those things. One thing which is important to the Nationalist community and, indeed, to sections of the Unionist community is the Irish language. That language is not the exclusive property of the Nationalist community. Irish is an important part of the heritage of both communities. There is a commitment to it in the Agreement, and if we have a Standing Order which allows us to address one another in the language of our choice without disadvantage, instantaneous translation facilities will have to be made available.

**Mr Close:** I commend the progress report from the Standing Orders Committee. The job is not yet complete, but that is not the fault of the Committee, which has worked constructively and positively over

the weeks. Until the Bill has completed its passage through Parliament we cannot complete the task in front of us.

I commend the constructive and positive work of the joint Chairmen — Mr Haughey and Mr Cobain — and all the other members. In the past few minutes there has been some rankle over the Irish language and some hope expressed that there will be simultaneous translation facilities. This issue did not raise the hackles of the Committee, so I am tempted to say that there are Members here who are playing to the gallery. It is sad that Members should find the matter of language emotive and be prepared to abuse a language for political gain.

The progress report shows what progress the Committee has made. By 14 September we had looked at 11 Standing Orders, and agreement had been reached on seven. Now we have agreement on 38 Standing Orders, and I hope agreement will soon be reached on the remaining 15.

With regard to progress, I would remind Members of the Standing Order that referred to designation, the Standing Order that enabled people to change their designation by giving seven days' notice. Members will recall that various phrases were used to describe this Order, such as its being "liable to bring the House into disrepute". Members will be pleased to note that that has now been changed. If someone wishes to change his or her designation, that will still be possible, but only once. This will demonstrate that the Member is not playing political games that could bring the House into disrepute.

We look forward to the completion of the passage of the Bill which will enable us to complete our task and present the House with a final report.

**Mr Adams:** I too want to note this progress report and deal specifically with the issue of a simultaneous translation system. I welcome your remark, Sir, that it is appropriate for the Standing Orders Committee to make a ruling on this issue, as on any other.

I am concerned not so much by the attitude of the Democratic Unionist Party — they are opposed to the Agreement — as by the stance taken by the Ulster Unionist Party Member who spoke in disparaging terms about this matter. The Good Friday Agreement clearly recognises

"the importance of respect, understanding and tolerance in relation to linguistic diversity".

It calls upon and commits us, in relation to the Irish language, to

“take resolute action to promote the language;”

“facilitate and encourage the use of the language in speech and writing in public and private life where there is appropriate demand”;

and so on.

There is clearly appropriate demand in this Assembly. Last week, I was in the Parliament of Canada, where there is a simultaneous translation system — they speak in both French and English — and it works very well. I want to place my views on record, and I hope that members of the Democratic Unionist Party will change their minds on this issue. That may be a forlorn hope, but I go forward on hope. The UUP, which supports the Good Friday Agreement, cannot but support the provision of a simultaneous translation service in terms of moving this process forward.

When Ms Rodgers and Mrs de Brún were speaking they were met with a barrage of noise. I am at least being given a modicum of respect. Is it because these two Members are women that they were faced with this bad-mannered, discourteous and totally ignorant display? I make that point in passing.

I support the Standing Orders Committee’s view that a simultaneous translation system should be provided, and those parties who support the Agreement should also take that view.

**Ms Morrice:** I want to commend the work done by the joint Chairs of the Standing Orders Committee — in particular, the delicate and diplomatic way in which they steered it through its business. I also want to congratulate my fellow Committee members for the constructive way in which they carried out their work.

One of this document’s most important elements is not its contents but the way it has been put together. It is very important to let the press, the media and the public know that — despite issues, such as language, which divide us — this report is proof positive that the Assembly is working. Representatives from all parties took part in the Committee.

Unfortunately the public cannot see how well we can work together and how we are moving forward. What they see is this Chamber in disarray, and that disappoints me, because behind closed doors, in Committee sessions, people from all parties are working shoulder to shoulder. Tomorrow’s papers should carry the headline “All-party agreement on lion’s share of Assembly rules”. However, they will not carry that headline because agreement is not newsworthy — disagreement is.

The Good Friday Agreement made news because it was historic, even though not all parties signed up to it. This report has no glossy cover, nor has it received an international fanfare — but it is something which all parties have agreed to and we should not allow it to slip by unnoticed; it is something we can build on. I am not pretending that everything was plain sailing. Several issues had to be revisited and there is the question of the seven-day notice that Mr Close referred to. There is a lot more work to be done.

The Women’s Coalition believes that it is far more valuable to focus on the things that unite us rather than the things that divide us. We contributed to specific areas of the Standing Orders and perhaps it will change the mood of this debate if I inform Members that we introduced family-friendly working hours to the Standing Orders. The plenary sessions will end at six o’clock, putting us a step ahead of those Parliaments that are trying to modernise themselves and which have not yet come to terms with the importance and value of family life, even for Members of Parliament.

We have also included in the Standing Orders a new language which is very important and very rare in parliamentary parlance. Members talk about the language, meaning Irish or Ulster-Scots, but here we have a totally new language — the language of gender neutrality. It is very important and it is in the Standing Orders. It is a language which not many people have recognised to date but it is now included. A woman reading these rules or listening to the debates can now relate to them because they refer to “her” as well as to “him.”

There is no doubt, as this debate has shown, that much remains to be done. I am confident, having seen the Committees at work, that parties can work together and that there will be a successful outcome.

*11.15 am*

**Mr McCartney:** On the language issue, everyone was agreed that Members should be entitled to speak in the language of their choice. The only issue that arose was if a Member chose to speak in a language which possibly 95 per cent of the Assembly could not understand, then he should have to make time in his available 10 minutes to explain what he meant in terms understood by all.

It is alleged, therefore, that this was in some way unfair or unequal and that having chosen to use a language that was an unsuitable vehicle for communication in the Assembly, Members should have double time in order to translate into a language which everyone could understand.

No one objected to the use of the language. No one objected to the fact that it could not be understood by



most of the Members present. They objected to the fact that the Assembly's time would be taken up if Members were allowed 10 minutes to speak in an unintelligible language and a further 10 minutes to speak in a language which everyone understood.

It was accepted by all that this impasse could be resolved if there was an instantaneous translation, so that Members could speak for 10 minutes in the language of their choice and it could be instantly translated into a language which was intelligible by everyone else in the Chamber. However, it was accepted by the Committee that this was really a matter for the Commission to handle. There was no objection in principle, as I understood it, to the installation of instantaneous translation.

The point has been made by Dr Paisley, and it should be emphasised, that the reason for there being 13 official languages is that there is in the European Parliament a mass of people who have no common language. I am quite certain that if there were a common language, there would be no need for instant translation into 13 languages. It is accepted that your language does not become an official language if it is spoken only by a small number of people.

**Rev Dr Ian Paisley:** There is a difference in Europe between an official language and a working language. The Irish language is an official language, but it is not a working language.

**Mr McCartney:** I accept entirely what Dr Paisley has said. Of course the Irish language is officially recognised as a language in Europe, but for the purpose of conducting business, which means finding a common basis that everyone will understand, it is not one of the 13 working languages.

**Ms Rodgers:** I understand perfectly what the situation is in Europe; however, we are dealing with a unique situation in Northern Ireland where we are divided on the basis of our traditions, our culture and our political ethos, and the Agreement allows for that unique situation — which is different from the situation in Europe — to be recognised.

**Mr McCartney:** Everyone is entitled to an expression of his culture, but there is not a single person in this Assembly at this moment who does not understand, in terms of language, exactly what I am saying. If, however, I were to speak in Irish, almost certainly 95 per cent of the people here, or at least an overwhelming majority, including many from the Nationalist ranks —

**Mr Adams:** Would the Member accept that the vast majority of people in the European Parliament could communicate through one language or another and that the reason they have simultaneous translation services

is that each of them upholds the right of others to use the language of their choice?

**Mr McCartney:** I do not accept in its entirety what the last Member has said. In Northern Ireland we have publications like 'An Phoblacht', which is aimed at those espousing a very strong Nationalist position, and about 85 per cent of the text is in English. The 'Irish Times' and the 'Irish Independent', which are, allegedly, major newspapers in the Republic of Ireland, print 95 per cent of their text in the English language because that is what the overwhelming majority of the population understand.

I have absolutely no objection to the use of the Irish language in any way. I have no objection whatever to Members speaking here in the language of their choice, but I have every objection to the unreal situation in which people are demanding to speak in a language which, perhaps, 90 per cent of the people they are addressing do not understand and, furthermore, insisting that they should have an equal amount of time in which to address the Assembly once again in the language which everyone can understand. I hope this matter can be resolved by the Commission's making available sufficient funds for instant translation to obviate the difficulty.

Finally in relation to Mr Foster's opening point of order, I am well aware of the association between Saturday night and Sunday morning, but I did not think it extended to Monday morning.

**Mr J Kelly:** I understood we had agreed, following our debate on Standing Orders, that there would be short instantaneous translations. Is that your understanding, Mr Initial Presiding Officer?

**The Initial Presiding Officer:** I am not clear as to what you are saying.

**Mr J Kelly:** We understood from Standing Orders that there would be a resolution on the question of instantaneous translations from Irish into English. Do I understand that this matter is under consideration by the Secretary of State?

**The Initial Presiding Officer:** No, that is not what I said. I said that it would be appropriate for the Standing Orders Committee to consider this question and to construct a Standing Order on the use of language. Equally, it might choose not to do so.

Responsibility for the provision of funding for all aspects of the Assembly currently lies with the Secretary of State. I have no knowledge as to whether or not this matter is under consideration; I am merely saying that until the Assembly Commission assumes responsibility for deciding how to use whatever moneys are voted to it, the Secretary of State makes the decisions on funding.

**Mr O'Neill:** I am a little hesitant to get to my feet. Members will be aware that I am not a member of the Standing Orders Committee. However, I was privileged to deputise on a number of occasions, so I am able to say something about the Committee's work and comment on the report.

It is very important that we place on record the amount of hard work that all Committee members put in to this report – I say all members because I was impressed by the degree of harmony and goodwill that was evident in their working relationships. Proceedings there were very positive — not at all reflective of the tenor of this morning's debate. That positive side, as other members have indicated, is the side that should receive the greatest emphasis during press coverage, but it will not.

We must get our Standing Orders worked out correctly, but there are a number of issues listed at Appendix C that the Committee still has to resolve, including the use of the Irish language, the matter we have just been debating. Whenever Members are debating such contentious issues they must find a way of dealing with them without the constant disruption and unseemly conduct that we have witnessed this morning. The large number of people who voted for the Agreement must feel very disheartened and disillusioned when they listen to this kind of corner-boy commenting. If the Standing Orders Committee can deal with these issues and make things as clear and as workable as possible, a lot of this unnecessary and unseemly behaviour could be removed from this Chamber. The hopes of too many people are pinned on the success of this Assembly, and we must not fail them. The Standing Orders Committee has a difficult job ahead.

Indeed, many people are wearing poppies to commemorate the dead of two world wars. Those people died to ensure democracy and freedom of speech. How sincere are some people about the emblems they wear?

We should encourage the Standing Orders Committee to reflect on the necessity for a little bit more speed and coherence in its work. I know from my attendance in Committee that that could easily and properly be done. Members will appreciate that many matters need to be covered in Standing Orders, and that that will take time. The report is tremendously fair, and the Members of the Committee have tried to deal with many matters.

I join other Members in paying tribute to the joint Chairmen. Their impressive skills contributed much to the Committee's success and to the more than 90% agreement.

*11.30 am*

**Mr Dodds:** I should like to deal with some of the issues that were raised in the debate. The introduction of the language issue by Ms Rodgers was a deliberate attempt to inject a political element into the report. Most of the Standing Orders were agreed after some considerable debate. We are to return to the issue of language, which is not yet the subject of a draft Standing Order. Ms Rodgers felt that it was right to introduce the topic now. If some Members on this side had introduced a subject that causes division and difficulty, they would have been accused of deliberately introducing divisive subjects. There are no such accusations when such topics are raised on the other side.

As Mr McCartney said, there was general agreement in Committee that people should be able to use whatever language they choose, whether it be English, Irish, Ulster-Scots, French, German, Chinese or any other. However, if they choose to use a language other than English and to have it translated, that must be done within the period of time that is allotted to them for their speeches.

**Mr Farren:** Could the Member direct me to a Standing Order which states that the time allotted for a speech must be divided to provide a translation?

**Mr Dodds:** I have said that there is no draft Standing Order on this subject. It would be better to await the Committee's deliberations before debating the matter in the House. That is better than having this divisive debate, which has been introduced by the SDLP.

Members have spoken about simultaneous translations. Do we seriously envisage simultaneous translation for those who speak in a language other than English just because people may have the right to speak in whatever language they choose? The expense of that relates not to the technical aspect that Ms Rodgers raised, but to the employment of a host of translators who will be redundant except when people choose to indulge themselves by speaking a foreign language. As I understand it, the Committee has made no decision in principle on the issue.

**Ms Rodgers:** Some of us do not have as much parliamentary experience as others, but the House will have to make allowances for that. The Member referred to foreign languages. Irish is not a foreign language in Northern Ireland.

**Mr Dodds:** I am grateful for that wonderful piece of information. I will know better next time. I make it absolutely clear that the DUP did not agree in Committee to the provision of simultaneous translation. Some people may see difficulties in principle, but in

terms of practicalities one swiftly concludes that is simply not on in the context of cost. We shall return to the subject, and to a host of others that are outlined on page 62 of the report. I wish that Members who are so keen to raise these issues would wait until we have debated the detail in Committee rather than be divisive in the Assembly.

**Mr McElduff:** A Cheann Chomhairle, ba mhaith liom fáilte a chur roimh an mhéid atá ráite ag an Uasal McCartney ar an ábhar seo go dtí seo. I welcome Mr McCartney's general sentiments and helpful attitude with regard to the issue of Irish being spoken in the Chamber and the córas áistriúcháin, the translation system. This matter should be moved along speedily because we should be at the stage where companies are tendering for a simultaneous translation system here.

Much reference has been made to "language of their choice". Members need not be afraid to specify the Irish language. We need look no further than the Agreement, which deals with this subject in paragraphs 3 and 4 under the heading "Rights, Safeguards and Equality of Opportunity". It is written all over the document that resolute action must be taken to promote the Irish language. We can not ignore that.

I am prepared to listen to Members from either side speaking Ulster-Scots and, if they feel that that is important to them, I will not object.

**Mr McCartney:** First, I have no objection in principle, but we would have to know the cost of the whole system. Secondly, the principles that I advanced about the intelligibility of Gaelic, equally apply to Ullans. I would have the same objections in principle to a Member addressing me in Ullans, Urdu, Swahili, Irish or any other language which I did not understand.

**Mr McElduff:** The comparison is disingenuous. The Irish language is spoken throughout Ireland and the six counties. The growth of naíscoileanna (nursery schools), unscoileanna (primary schools), and meánscoileanna (secondary schools), the length and breadth of this country is evident. The figures provided by groups such as Gaeloiliúint acknowledge the extensive use of the Irish language. In my community there is vibrant discussion on a weekly basis about the importance of the Irish language and about how, in this new era, we must move speedily to acknowledge that in a proper way. Sin an méid atá le rá agam. I ask for a little patience on the Irish language front. This should not be an issue of party political division. Aontaím leis an Bhean Rodgers nuair a dúirt sí gur linn uilig an teanga.

**Mr Molloy:** Some members of the Standing Orders Committee seem to have forgotten the debate on the need for a Standing Order to be written into this document — even if it were only a temporary

provision — until we had fully considered this issue. This issue is bigger than the one that we are debating this morning. The part of the Good Friday Agreement under "Rights, Safeguards and Equality of Opportunity" which the UUP and other parties have signed, enshrines the rights of Nationalists and all others to speak the language of their choice. They must also have their overall rights safeguarded. The document puts great emphasis on the need to ensure that the Irish language — not Swahili, German, French or any other language, but the Irish language — is protected and promoted.

We must ensure that recognition is given to that section of this community that wants to speak in its first language — Irish.

Mr Initial Presiding Officer, there seems to be a slight problem with order in the Chamber.

**The Initial Presiding Officer:** If Members wish to converse, it is entirely proper for them to do so, but outside the Chamber.

**Mr Molloy:** The Committee did record, as Mr McCartney recognised earlier, that people should have the right to speak in Irish. The Committee resolved that the Assembly Shadow Commission should introduce simultaneous translation if it was considered feasible. We have to make sure that this is feasible.

There is simultaneous translation not only in modern Assemblies but also in conference centres throughout the world. This facility would remove the problem of what people consider as the Irish language being used as a vehicle to delay the progress of a motion or to increase speaking time on a motion. But until such a facility is available, it should be the right of those who want to speak Irish to have the same amount of time in which to translate what they have said for the benefit of everyone in the Chamber.

It is up to the Assembly to put a simultaneous translation system in place so that we do not have this ongoing debate over the use of Irish. There are a lot of other issues which need to be discussed, but the use of Irish, though a very small part of Standing Orders, is a major issue that concerns recognition of the rights of the Nationalist community, and it is important to look at this issue as an integral part of the overall document.

All the parties here are represented on the Standing Orders Committee, and each has participated in every other way. The entire document is now being threatened by the UUP and the DUP who seem intent on bringing the Assembly and the whole Good Friday Agreement down by the end of this month. The UUP is in breach of the Good Friday Agreement, by its failure to implement it fully. This is what we need to debate, not just the Irish language aspect of it.



**Mr Beggs:** I would like to place on record my congratulations to the Committee on Standing Orders on the work it has carried out to date and the constructive attitude adopted by its Members.

With regard to simultaneous translation facilities for Irish, it is important not only to consider the initial cost of the equipment but the ongoing maintenance costs as well. In the European Parliament translation has a practical purpose because not all MEPs can understand all the other languages. I would ask any Committee considering this matter to find out how many Members cannot speak English.

There is, of course, one word that it is very important to have translated, and that is the word “decommissioning.”

It is vital that the Assembly be seen to conduct itself in an efficient and effective way, and I would not want to waste funds on simultaneous translation — I would prefer to employ more nurses and teachers.

11.45 am

**Mrs de Brún:** Ba mhaith liomsa teacht ar ais chuig ceist na teanga arís. Aontaím leis an mhéid a dúirt na hUasail McElduff agus Molloy, mar aon leis na pointí a d’ardaigh an Bhean Rodgers níos luaithe.

Tá sé iontach soiléir ón Chairt Eorpach nach leor cead a thabhairt do dhuine teanga a úsáid, muna gcuirtear ar fáil, don duine sin, seans an teanga a úsáid sa ghnáthobair, nó má chuirtear bac i slí an duine sin agus í ag úsáid na teanga sin. B’fhéidir nach bhfeicimid cé chomh tábhachtach agus atá an cheist seo sa Tionól ag an am seo nuair nach bhfuil sé ag teacht le chéile go rialta. Ach, má thagaimid a fhad le gnáthobair an Tionóil seo, abair go bhfuil Teachta éigin ag cur ceiste ar Aire, is ábhar buartha a bheas ann ag an phointe sin má chaithfidh an tAire socrú cé acu leathfhreagra a thabhairt, nó freagra iomlán a thabhairt sa teanga ina bhfuil sé ag labhairt nó freagra a thabhairt sa teanga ina gcuireadh an cheist. Mar sin, tá an cheist seo tábhachtach agus caithfidh í a phlé.

I want to come back to the question of the use of the language. I concur with the remarks made by Mr McElduff, Mr Molloy and Ms Rodgers.

The European Charter makes it clear that it is not enough to give someone the right — or to say that someone has the right — to use a language if that person is not given the opportunity to use that language in the course of his or her ordinary work and dealings with others. It is not enough to say “Yes, you have the right to use a language, but I will place barriers in the way of your using it”.

**The Initial Presiding Officer:** Members should try to observe the courtesy of listening whilst others are speaking.

**Mrs de Brún:** The impact of this issue on the work of the Assembly may not yet have become clear, as the Assembly has not met very often, but it will when the Assembly gets down to what everybody sees as its everyday work. For example, if a member asks a Minister a question, the Minister will have the difficult task of deciding whether to give half an answer because there is not enough time to do otherwise, or to give a complete answer because the facilities are available to do so.

There are points that we need to be clear about now; we need to see that this is a serious issue. It is not simply a matter of saying “You may speak in the language of your choice, but if that impacts badly on the business of the Assembly, then that is your problem. It is not the Assembly’s problem, and we do not have to deal with it”. We need to be very aware of this.

**Mr P Robinson:** The Assembly should be indebted to the Committee for the vast range of topics — 38 — covered in this report.

The Committee has been put in a very difficult position. This Assembly must be the first elected body that has been asked to draft its Standing Orders before the underpinning legislation has been made. We are in the unique situation of having to hold back and wait for the legislation to pass through the House of Lords and back to the House of Commons before our own Standing Orders can be finalised. Nonetheless, a number of other issues need to be dealt with.

I am sure that many Members will be seeking to have embedded in Standing Orders a recognition that is observed in every elected body, namely that the national flag is flown on the building in which the elected body meets when it is in session. That provision should be in Standing Orders, and I am sure it will be top of the Joint Chairmen’s agenda.

As far as this morning’s debate is concerned, and on the foot of comments made by Ms Rodgers, Members may choose to speak whatever language they wish, but if one can speak a language that everybody in the Chamber can understand I think it is something of a discourtesy to choose to speak a different one. However it will be up to the Assembly to decide whether to use its funds to employ a dozen or so translators to translate the many different languages that could be used in this Chamber.

It is a political issue. It is a show language, and Nationalists believe that they have to beat their chests and show that they are putting forward this aspect of their culture. These people do not use the Irish language



in Committees, it is only when they come under the public gaze that they decide to use it.

**Mr McElduff:** It is used in Committee.

**Mr P Robinson:** I do not give way to Sinn Féin.

I am a member of two Committees and Irish has never been used in either of them. My colleagues have never heard it used in other Committees. People use Irish only when they are under the gaze of the television cameras or the press. It is not needed, so why should we spend money on facilitating it.

**Mr C Wilson:** I agree with Mr Robinson. At the first meeting of the Assembly in this building, I said that the issue of the Irish language was cosmetic and that providing for it would be a costly exercise and the bill would have to be picked up by the taxpayers.

The comments by Alderman Robinson that this is purely for the Press are absolutely true. It is an attempt by Mr Adams and his cohorts in Sinn Féin to steady the nerve of those in the Republican family who have great difficulty with the concept of the Leader of IRA/Sinn Féin, Mr Adams, being in this building.

This was confirmed in a recent programme in which many Republicans said that Mr Adams and those with whom he associates and apologises for within the Sinn Féin/IRA movement, bombed, mutilated and murdered many thousands of people in this province simply to take up their seats in an Administration at Stormont.

That is why the Irish language is being used as a political football. It is being abused, not by the Unionist community who have no difficulty with people speaking it for genuine reasons, but by those who use it in this Chamber simply to emphasise the fact that Sinn Féin/IRA intend to make other Members feel uncomfortable.

I do not care how long Mr Adams and his cohorts wish to use the Irish language. I object to the waste of public money and the waste of the Assembly's time. The issue poses serious questions for the Assembly, and for the Committee. If a translation service has to be provided for the Chamber, will it also have to be provided for Committees and for all the transitional programmes that are being organised in relation to the work of the Assembly? As Alderman Robinson has said, that would be farcical.

I have never heard any member of Sinn Féin speak in Irish in any of the Committees upon which I have served, or in any of the transitional programmes that we have held throughout the province. Sinn Féin is attempting to bring a political matter into this Chamber, and it is a disgrace that we are wasting time on this issue when the real issue of the exclusion of gunmen and gangsters from the Chamber should be before the House.

**Mrs Nelis:** Go raibh maith agat a Chathaoirleach. I do not presume to tell you how to conduct Assembly business, Mr Initial Presiding Officer, because you are most competent at that, but I must protest in the strongest terms about the conduct of some of the male Members. It is nothing less than disorderly. I presume that there is provision within the Standing Orders to deal with disorderly conduct by Members. There has not been proper debate or comment, but there has been sexist abuse of female Members.

**Rev Dr Ian Paisley:** On a point of order, Mr Initial Presiding Officer. When did you allow disorderly conduct and sexist attacks? If you allowed such conduct, you would be out of order.

The Initial Presiding Officer: That would be correct, Dr Paisley. There has been some robust debate, although in some of the other places I have attended, debate has been a great deal more robust and was not considered out of order. However, I remind the House that on a number of occasions I called for more courtesy and respect. I hope that Members will take that seriously.

Mrs Nelis: A Chathaoirleach, you are being careful with your words, Mr Initial Presiding Officer, if you call what happened in this Chamber "robust debate". I reiterate that it was nothing short of abuse.

The Good Friday Agreement, for those who have obviously not read it, pledges parties to affirm mutual respect and equal rights and the right of full and equal political participation to women. That includes the right to speak, the right to be listened to and the right to express opinions. We have seen and heard in the debate Members who do not understand the principle of mutual respect. The Good Friday Agreement is specific on this issue of rights. It affirms respect for the identity and ethos of Members, and equality of treatment. *[Interruption]*

The Initial Presiding Officer: Order. Members should not hold conversations in the Chamber. They should be conducted behind the Chair or in the corridors, as is the practice elsewhere.

Mrs Nelis: Go raibh maith agat a Chathaoirleach. Women Members are not afforded equality of treatment during debate and I acknowledge, a Chathaoirleach, that you tried several times to bring unruly Members to order. You have an obligation, under the terms of the Agreement under Standing Orders, to ensure equality in the Chamber.

During this morning's business, the young people in the Strangers' Gallery will not have been impressed by the disorderly conduct and downright bad manners of the male Members of the Democratic Unionist Party. They should apologise to Assembly Members Bairbre de Brún and Bríd Rodgers for such boorish and

sexist behaviour. Such conduct demeans the spirit of the Good Friday Agreement and the authority of yourself a Chathaoirligh. Go raibh mile maith agat.

Mr Haughey: I shall try to address the issues in the order in which they were raised.

In response to the intervention by Dr Ian Paisley, may I say that it was not my intention or that of my co-Chairman, Mr Cobain not to refer the issues in the letter to the Committee on Standing Orders. The question that we considered was whether that necessitated an extraordinary meeting of the Committee, and we decided that it did not. Dr Paisley may disagree with that judgement, but we made it in light of the circumstances.

12.00

Ms Rodgers, the Member for Upper Bann, raised the issue of provision for the Irish language. It is obvious from the debate this morning, and from other debates, that a number of Members wish to speak from time to time in Irish. Indeed some Members may wish to speak in Ullans. There is agreement in the Standing Orders Committee that Members may use whichever language they please.

One of the earliest agreements which was made between the parties who participated in the Brooke-Mayhew talks in 1992/93 was that one's cultural identity could only be determined by oneself, that Members, other public representatives and other citizens in Northern Ireland had no option but to accept a citizen's right to his chosen cultural identity. That was one of the earliest agreements that was made and banked, and I am sorry that this has not been reflected in the behaviour of certain Members of the House this morning. Unfortunately no Standing Order can imbue with natural courtesy and dignity those who appear to be bereft of it.

In response to an early intervention from Mr McCartney, the Member for North Down, I have to agree with him that the provision of facilities for translation is essentially not a matter for the Committee on Standing Orders. It is a matter, in present circumstances, for the Administration, headed by the Secretary of State, and will only become a matter for the Assembly when it assumes authority from the Secretary of State. So, in present circumstances, much of our discussion is largely futile.

In response to Mr Hussey who intervened later in the discussions, I can only say to him that I sometimes have difficulty understanding Members who speak in English.

In response to Mr Close, the Member for Lagan Valley, I thank him for his kind remarks and note his comments on the matter of the change of designation.

Mr Adams also referred to the question of language. May I say to him, as well as to others, that Members may speak in the language of their choice — that has been agreed by the Standing Orders Committee — and a Standing Order reflecting this will be put to the House in due course. The question of provision for simultaneous translation is currently a matter for the Secretary of State, and it may be that the Executive will wish to present proposals and to make budgetary provision for such simultaneous translation in due course.

Mr McCartney, the Member for North Down, then spoke later, and I agree with him again. His point is correct that no objection in principle was raised in the Committee to the provision of interpretation facilities. The only question that has been raised is the question of cost. There is, however, a perfectly responsible difference of opinion within the Committee on the consequences for order in debate as a result of the choice of certain Members to speak in a language that is not understood by all Members. This question will however become irrelevant if simultaneous translation is, in due course, provided.

Mr J Kelly, the Member for Mid Ulster, raised a question which I believe was adequately dealt with by the Initial Presiding Officer.

Mr O'Neill, the Member for South Down, then spoke, and I note his comments on the right of free speech. May I thank him for his kind comments in relation to the work done by Mr Cobain, myself and the other members of the Committee.

Mr Dodds, the Member for North Belfast, then spoke, and I would point out to him that there was no barracking of him by me or any other member of my party.

Mr McElduff, the Member for West Tyrone, is correct to point out that provision for the Irish language, and possibly also for Ullans, is a question that properly derives from the provisions of the Good Friday Agreement, and many references to this question are to be found in the Agreement.

I note too the comments of Mr Molloy. The points that he made on this matter were similar to the points made by other Members.

Mr Beggs asked about the cost of installing translation facilities and that should be easily obtained since such a facility was available in the National Forum for Peace and Reconciliation in Dublin.

Mrs de Brún raised the issue of language in relation to asking Ministers questions, and that is obviously a matter which the Committee on Standing Orders will need to look at. I thank the Member for raising that point.

**Mr Campbell:** I am sure Mr Haughey is not wishing to mislead the House regarding the Committee's discussions about simultaneous translation provision, but it would be accurate to say that no substantive discussion has taken place, let alone agreement having been obtained in principle to it.

**Mr Haughey:** I did not say that there was agreement in principle on the provision of a simultaneous translation facility; I said that there was no issue of principle raised in opposition to the provision of simultaneous translation. The only question raised was one of cost. That is an accurate reflection of the discussions which took place.

Mr Peter Robinson raised the matter of courtesy and discourtesy, and I note his comments very carefully indeed.

He also raised the issue of flags and emblems and that is currently a matter for the Secretary of State, whom I have briefed on the discussions involving the Committee on Standing Orders. This issue will only become a matter for the Assembly when it assumes power.

Mr Cedric Wilson asked about the cost to the taxpayer of providing simultaneous translation. Expressions of the cultural identity of our separate traditions do involve occasionally a cost to the taxpayer, and, indeed, it might reasonably be asked whether the provision of simultaneous translation in this House — which Ms Rodgers has pointed out would be relatively easy to install and would not be overly expensive — might not help express the Nationalist cultural identity. This would not be an unreasonable burden on the Exchequer, especially given the cost to the Exchequer of other exercises in cultural expression. It is a perfectly reasonable point to make.

I also note Mrs Nelis's points about courtesy and discourtesy.

*Question put and agreed to.*

*Resolved:*

That the Assembly takes note of the progress report prepared by the Committee on Standing Orders.

## ASSEMBLY: UNPARLIAMENTARY LANGUAGE

**Rev Dr Ian Paisley:** Remarks were made by a Sinn Féin Member about behaviour. Although the Member did not name anyone, I ask you, Sir, to give the Assembly a ruling at its next sitting after you have read

those remarks because they are serious and cast aspersions on the Chair.

**Mr Adams:** I will name a Member—William McCrea. When Mrs Nelis was speaking he said — and it was not conversational — “Go back to the kitchen and get out.” I consider that to be a sexist remark.

**Rev William McCrea:** That is totally untrue. That is the last thing that I will take from the likes of Adams, who represents an organisation that has tried to silence me completely.

**The Initial Presiding Officer:** Order. A number of comments and claims have been made about things that have been said. I will study the Record of these proceedings as I have studied the Records of previous proceedings.

I give rulings as close to the time as I can, and I am grateful when Members raise these matters at the time rather than subsequently, and with hindsight, as sometimes happens. But we must look at the record. I have noticed Members making comments to each other on all sorts of different matters which may not even have been related to what was going on in the Chamber. I will study the record.

I will also study and respond appropriately to the particular questions that Dr Paisley raised about references to the Chair.

**Rev Dr Ian Paisley:** Further to that point of order, Mr Presiding Officer. Would it not be in order for Mr Adams to withdraw the lie that he told about my Colleague Rev William McCrea?

**The Initial Presiding Officer:** Dr Paisley knows very well that he sails close to the wind sometimes with the language that he uses, but he is a skilled and experienced man who knows just how close to sail without doing any damage.

**Mr Adams:** I noted Mr McCrea's remark. It would be more appropriate if he apologised to Mrs Nelis.

**Rev William McCrea:** I will not be responding to anything Adams says, and as far as I am concerned, if he does not know or he cannot listen to the truth, that is not my fault. I did not make the comments that it has been said that I made, but I do not want an apology from Mr Adams. I want the Sinn Féin movement to apologise to the members of my family for trying to wipe them out with an AK47.

**The Initial Presiding Officer:** I must ask Members to take their seats. Indications that we have had from the Committee on Standing Orders suggest that we should respect each other and respond to each other with courtesy, even when that is difficult.

I have to say, Mr McCrea, that to refer to Mr Gerry Adams as “Adams” is not in keeping with

proper Assembly or Parliamentary procedure. We all need to calm down a little and behave more respectfully, as we have before.

**Mrs I Robinson:** If my Colleague had made those remarks, I would have been offended because I too am a woman and would have found them totally unacceptable. However, I would have made a mark and responded accordingly.

**Mr J Kelly:** There is a mode of address in Standing Orders, and that should be used.

### STATEMENTS BY FIRST MINISTER (DESIGNATE) AND DEPUTY

**The Initial Presiding Officer:** We now come to the Statements from the First Minister (Designate) and the Deputy First Minister (Designate). I propose to take the statements now and then suspend the sitting for lunch. The statement should be available to Members in the Printed Paper Office immediately after it has been made to the House. After lunch Members will be free to respond, ask questions and make comments on its content in line with the time limits which were imposed when the Initial Standing Orders were debated.

Members who have experience in other places will know that, following a statement there is usually a question-and-answer session. However, given the important issues that are involved here, I am grateful to the First Minister (Designate) and the Deputy First Minister (Designate) for agreeing to a somewhat unusual extension of time so that the Assembly can have its say. At the end of the Assembly's consideration of the statement, the First Minister (Designate) and the Deputy First Minister (Designate) will have an opportunity to respond, if they wish.

12.15 pm

#### **The First Minister (Designate) (Mr Trimble):**

The Deputy First Minister (Designate) and I are grateful for this opportunity to make a statement to the Assembly on a number of matters, namely: the Industrial Development Board's North American Investment Roadshow; the departmental structures; the North/South Ministerial Council; the British/Irish Council; the Civic Forum; and the forthcoming Brussels conference for Assembly Members.

In the first part of the statement I shall report on the North American investment roadshow, departmental structures and the British/Irish Council. The Deputy First Minister (Designate) will then deal with the North/South Ministerial Council, the Civic Forum and the Brussels conference.

The Deputy First Minister (Designate) and I formally launched the North American Investment Roadshow in New York on 7 October 1998. The baton was subsequently taken up by Mark Durkan and Jeffrey Donaldson, who unfortunately had to cut short his involvement due to a family bereavement. He was replaced by Danny Kennedy. I want to thank all of them for the work that they have put in to this important initiative.

The Chancellor of the Exchequer announced this initiative in May of this year as part of his £315 million package of special assistance to Northern Ireland. The express aim of the Chancellor's initiative is to underpin the economic aspects of the Belfast Agreement.

The North American Roadshow is the culmination of months of meticulous planning on the part of the Industrial Development Board. I acknowledge the personal involvement of the Chancellor — who was with us in New York —, the Secretary of State, Economy Minister, Mr Adam Ingram MP, Dr Alan Gillespie, the Chairman of the Industrial Development Board and the Industrial Development Board's Chief Executive, Mr Bruce Robinson.

The programme also included our attendance at the launch of the Northern Ireland Tourist Board's overseas market initiative in New York on 8 October 1998, also attended by Roy Bailie, Chairman of the Northern Ireland Tourist Board.

By the end of this programme it is estimated that 1,100 key decision-makers in North America will have been directly briefed on the investment opportunity represented by Northern Ireland.

Three major investments have already been secured during the programme. Firstly, Boston-based Segue Software have announced a world-wide technical support centre in Belfast which will create 45 jobs over the next three years. Secondly, the major American



insurance company Allstate Corporation, which has more than 20 million customers, has decided to establish a subsidiary in Northern Ireland which will create 250 new jobs. This will be the first offshore IT operation for the Allstate group. Thirdly — and this will not be in the printed statement because it only came to hand a short time ago — Nortel Networks, the Canadian-owned telecommunications company, has just announced that it is going to recruit 150 hardware and software design engineers at its Northern Ireland telecommunications engineering centre at Monkstown — a £4.7 million expansion which will see employment at the centre rise to 525 by 2001.

One of the really good features of the roadshow was the way in which North American businessmen, such as Ian Craig of Nortel, came to each presentation and spoke very strongly in support of the opportunities and of their very positive experiences in Northern Ireland. That was a very significant part of it.

The Industrial Development Board has also announced the opening of its fourth representative office in the United States which will be located in Boston.

The real success of programmes of this nature can only be measured over a period of years, just as each of the announcements made in the course of it have had a gestation period running back several months — in other words, before the roadshow began.

Turning to political developments, in our 14 September interim report to the Assembly, we presented a summary of the initial views on departmental structures expressed to us by the parties during the course of a series of meetings in early September. In addition to comments made by parties at the 14 September debate, we subsequently received written submissions from several parties. We have been taking advice from officials in the Northern Ireland Civil Service on the suggestions on departmental structures which have been made by the parties to date.

We have also been giving consideration to the functions of government which should be handled by the First and Deputy First Ministers. It is likely that the Office of the First and Deputy First Ministers will have responsibility for providing the Secretariat to the Executive Committee and, possibly, also for the North/South Ministerial Council and the British/Irish Council.

Other functions could be added. For example, in most systems of government it is also normally the responsibility of a central Department to co-ordinate the activities of Government across the span of Departments, and to have responsibility for the management of the legislative programme. These are

matters on which we would welcome the comments of the parties.

A further matter of importance is the question of whether junior ministerial posts should be established. The Northern Ireland Bill will provide for that, and will make it the responsibility of the First and Deputy First Ministers to determine a procedure for the appointment of such junior Ministers, subject to the approval of the Assembly. It will be important to have the views of parties, on the desirability of creating junior ministerial posts.

The Deputy First Minister and I have taken time to reflect on the views that have already been expressed to us by the parties in the course of our earlier consultations with them and in the written submissions which we have subsequently received. In doing so, I think it would be right to say that we are conscious of the fact that there is still some distance to travel before a definitive set of proposals on departmental structures and other issues can be arrived at. At the same time, we are both very conscious of the fact that we have been tasked by this Assembly to bring forward proposals on these and other matters. That is a responsibility in which we invest considerable significance.

I should like to take this opportunity to once again emphasise my commitment and that of the Deputy First Minister (Designate) to the implementation of the Belfast Agreement in all its aspects. We are committed to moving forward as quickly as possible to ensure that we discharge our responsibilities — not only to this Assembly but to the community at large in Northern Ireland.

Consequently, we have decided to initiate a further round of intensive consultations with all the parties in the Assembly. The purpose of those consultations is to enable us to complete our work on the possible shape of the new Northern Ireland administration and on the other institutions and areas of activity which the Agreement requires to be put in place. It is our intention to issue an invitation this evening to each of the parties in the Assembly to participate in those consultations.

I would now like to speak about the British/Irish Council. Work is proceeding on that issue also, and it is the responsibility of the constitution unit of the Cabinet Office in London. That is because of the international aspects of the subject matter. I understand that two documents are in preparation. The first of those is a formal memorandum of understanding between the British and Irish Governments. That will be necessary under the Belfast Agreement to bring the Council into operation.

The second document will contain draft procedural guidance dealing with the administrative arrangements for the Council. In addition, preparatory meetings have

been held with the Channel Islands and the Isle of Man to explain the nature of the British/Irish Council. The islands have indicated their willingness to participate in the Council. Since the new devolved administrations in Scotland and Wales will not come into existence until the summer of 1999, as a temporary arrangement the Secretaries of State for Scotland and for Wales will represent the Scottish and Welsh interests.

We would welcome contributions from the parties on how the work of this important new Council is to be taken forward. Our current assumption is that the first meeting of the Council in shadow form will take place in London at approximately the same time as the first meeting of the North/South Ministerial Council. Again, these and other practical matters can be discussed at the consultations which are to begin later this week.

**The Deputy First Minister (Designate) (Mr Mallon):**

I wish to associate myself with the remarks of the First Minister about the Industrial Development Board Roadshow. I thank all the officials and Ministers who were involved in it and express satisfaction at the news today that Nortel is to expand its investment here. It was a very intensive visit. One of the benefits is that we got an insight into not just what was done but also what might be done and into ways in which the enormous potential could be fully realised. We could learn from that.

We had the satisfaction in Denver, Colorado, of hearing remarkably good news, not about inward investment but about the Nobel Peace Prize for the people of the North of Ireland through John Hume and David Trimble.

We recognise that despite the best efforts of everyone — I say everyone because I believe that people have worked in good faith on this issue, and I was in a position to see it at first hand — the deadline of 31 October will pass without the formation of the Executive or the inaugural meetings of the North/South Ministerial Council and the British/Irish Council.

That is the price we are paying for the deadlock on decommissioning, and it is a very high price. On the day of the referendum the Agreement ceased to belong to any Prime Minister, any political party or any section of the people in the North of Ireland. The people of the North of Ireland took ownership of that Agreement and mandated us to implement it. The will of the people has been denied. We, the representatives of those people, have been denied our proper role and responsibility to form an Executive and to scrutinise its work.

The date on which the machinery of government will come under the control of locally elected politicians remains uncertain. When I consider the many serious problems facing Northern Ireland — problems in agriculture, the uncertainty over hospitals, the decline in

business confidence — I feel a deep sense of frustration, which, I believe, is shared by all Members of the Assembly, especially as people realise the enormous opportunity and potential that exist at this time. We can hold debates and pass motions, but if we are serious and want to be taken seriously we must face up to and resolve with urgency the immediate issues blocking the way to the formation of the Executive — not just decommissioning but also the structures of government and the areas for North/South implementation and co-operation. The First Minister (Designate) has already covered what needs to be done as regards departmental structures.

Sixthly, let me now outline what has been happening in respect of North/South matters and propose a way forward.

Following a series of bilaterals with the parties in early September we received a written submission from one party only: Sinn Féin. It is vital that other parties now make their views known to us. I readily accept that in those bilaterals much of the discussion was taken up with the determination of Departments. I ask that all parties now submit in writing their proposals for the implementation bodies.

In addition, the SDLP and the UUP have established a small working group. As Members will recall, we placed in the Library a summary of the technical assessments made by officials, under the authority of Mr Paul Murphy, the Minister for Political Development, of the 12 areas for co-operation and implementation listed in the Agreement.

We subsequently requested copies of the detailed assessments themselves, together with detailed assessments of 11 further areas. We have arranged today for copies of those technical assessments that have been completed to be placed in the Library and shall arrange for the other assessments to be added as they become available.

Officials have had a series of meetings with Irish Government officials from the Departments of the Taoiseach and of Foreign Affairs. These have covered the preliminary steps to be taken in advance of the inaugural meeting of the North/South Ministerial Council, including the preparation of a draft memorandum of understanding setting out an agreed approach to the proceedings and operation of the Council, along with the possible venue and outline agenda for the inaugural meeting.

*12.30 pm*

Meetings have also taken place between officials from Northern Ireland Departments and Irish Departments in order to try to clarify issues arising from the technical assessments undertaken, referred to above,

and to allow the Irish Departments to present their views on technical matters associated with possible implementation bodies.

It is therefore clear that most of the necessary technical preparatory work is well advanced. We must now generate the momentum of inter-party discussion on these matters, in particular the choice of areas for co-operation and implementation — and I know that this view is shared by the Prime Minister and the Taoiseach.

We are proposing, as with departmental structures, a further round of intensive consultations involving round-table discussions and shall this evening be issuing the appropriate invitations to each of the parties in the Assembly. This will allow us to speedily finalise the proposals that we will ultimately put to the Assembly. The Prime Minister, the Taoiseach and their officials have assured us that they stand ready to help with this task.

If we can get this right and find the best way to associate ourselves with the most successful economy in Europe, then we will have performed a real service to our people — one that is of mutual benefit to the people North and South.

I also wish to deal with the work that is underway with regard to the Civic Forum. We are grateful to all of the parties, almost all of which made written submissions on this matter. We also received a wide range of submissions from outside organisations. Some common themes are emerging, and I wish to give Members a flavour of them.

First, the Forum should complement the work of the Assembly and should not subscribe to the perception that it is in competition with it. Neither should it be aspiring to second-Chamber status. Second, it should have no legislative, executive or administrative powers. Third, it should have a close working relationship with Assembly Committees in particular. Fourth, its members should achieve a broad socio-economic, geographic, community and be age-spread and gender-balanced. Fifth, its core should be about 50 members. Sixth, it should focus on a small number of key social, economic and cultural themes rather than seek to comment on all matters. Seventh, in addition to its regular meetings, it should meet periodically in different venues throughout Northern Ireland. Eighth, it should receive formal responses from Ministers concerning its recommendations.

Our officials are finalising a working document which will take account of this input and will outline the steps to be taken to ensure that that body can be established. On this basis we now see merit in intensifying consultations with the parties to expedite the establishment of the Civic Forum. In particular,

advice is needed from the parties on the selection of members, the draft constitution and standing orders, the possible work programme and administrative issues such as its venue and secretariat.

My last point concerns the Brussels conference on European affairs. As part of the transitional programme, most Assembly Members will travel to Brussels next week as guests of the European Commission. This is yet another example of the enormous goodwill and interest being shown in the new politics in Northern Ireland and is continued evidence of the commitment of the European institutions to help us resolve our problems.

During the visit we shall be meeting the President of the European Commission, Jacques Santer, together with the Secretary General, Carlo Trojan, both of whom have done so much for us in recent years. We shall also be meeting with Commissioner Wulf-Mathies, who has played a crucial role as regards regional support and the special peace and reconciliation package.

Other key meetings will involve Agriculture Commissioner Franz Fischler, Social Affairs Commissioner Padraig Flynn and Transport Commissioner Neil Kinnock. At these meetings we must convey, as the First Minister and I sought to do in the United States, that we are serious about building a new competitive, innovative, vibrant region in Northern Ireland, that we are putting the stagnation and the division of the past behind us and that we can and will be worthy partners in the construction of the new expanding Europe. Each of us on that trip will be an ambassador of hope for future prosperity.

We will, in particular, be working closely with and drawing inspiration from, the sustained efforts of our MEPs, Mr Hume, Mr Nicholson and Dr Paisley, with whom we shall be meeting the key members of the European Parliament, including its president, President Gill Robles. In our meetings the First Minister (Designate), and I will be seeking in particular to initiate a positive discussion on the nature and scope of Structural Fund support post 1999 and on the prospect of building on the success of the Special Programme for Peace and Reconciliation.

Last Thursday I took the opportunity to ask the Prime Minister for his support in these discussions and for any special arrangements which might result. He assured me that he would stay in close contact with us, and I am confident of his good will in this matter.

In conclusion, may I offer a reflection on where we find ourselves today, and notably with regard to decommissioning. Last week the First Minister (Designate) and I had the privilege of meeting with President Havel. Before that meeting I took the opportunity to read his essay on 'The Phenomenon of



Waiting'. This is an essay which suits the politics of the North of Ireland, and I recommend it, not just for its content but for the beautiful style in which it is written.

In it he talks about how our political impatience sometimes tempts us to coercive manipulation, like the child who tugs at a flower in order to make it grow more quickly. We have learned over months, if not years, that we must have interminable patience and accept that there are issues — like the child tugging at a flower to get it to grow — that cannot be successfully forced. Instead, as President Havel says,

"We must patiently plant the seeds of trust and water the ground well. Just as we cannot fool a plant, we cannot fool history. We must water history as well, patiently and everyday, not just with understanding but with humility and respect for each other."

Let us make a fresh start today to resolve the differences between us. Let us redouble our efforts to put momentum into the implementation process.

We are all politicians. It is our responsibility to solve problems. Failure is not an option, and if failure is not an option, success is our only destination. The road map is clear. We drew it up ourselves and called it the Good Friday Agreement. If there are roadblocks, let us find ways around them. If there are cul-de-sacs, let us reverse out of them and get back on the road. Most of all, let us keep at it with that type of patience that President Havel recommended because the potential for the future that we have within our grasp is something that we, the political leaders of the North of Ireland, cannot, should not and must not ever let go.

The sitting was suspended at 12.39 pm and resumed at 2.00 pm.

**Mr Empey:** I want to talk about the North American Roadshow in which the Industrial Development Board and the Government were involved. It was of particular significance that the Chancellor of the Exchequer saw fit to launch this personally.

We have come a considerable distance in recent years in respect of these matters. Not that long ago, when local authorities in Northern Ireland were beginning to get powers in respect of local economic development, we in Belfast undertook an initial journey to North America, and there was a whole hullabaloo in the press about junkets. What people did not understand was that, particularly in North America, people expect to see politicians leading delegations; they do not expect to be interfacing exclusively with civil servants. Consequently, over recent years, we have been able to break down a lot of barriers and make a lot of contacts.

As the First Minister (Designate) indicated, there is a considerable gestation period between initial contacts and any fruitful outcome. The announcements that were made during the trip, and again today, are evidence of

that, and some take longer than others. One deal in particular that was announced during the trip had a comparatively short gestation period. But there is no substitute for an individual making contact over there.

I know that in the next month or so a number of other activities will take place in the North American area. My own council is launching a major trip with 42 companies drawn mostly from the Local Enterprise Development Unit client-list, along with others. I know that Coleraine Borough Council is taking a delegation, and there may well be others. This is all necessary activity.

There is a most important opportunity here, and not simply for inward investment: we must remember that the key to solving a lot of our unemployment problems lies with our own indigenous small and medium-sized enterprises. We hope, therefore, that politicians can create situations where local companies can meet with their counterparts in North America, or wherever else, and conduct business themselves.

Neither the Government nor the Assembly nor other politicians can intervene by trying to act as a substitute for business men. Business people have to do their own things together. Our function is to open doors for local business. Local authorities, along with organisations like the Local Enterprise Development Unit, can share some of the costs with business people and provide them with matchmaking sessions. This is better than having them arrive in a particular city and do what is called "cold calling".

This is an enormous task and one that is very daunting. I welcome the report, and I hope and pray that there will be further success to report in coming months.

With regard to some of the structural matters that both the First Minister (Designate) and the Deputy First Minister (Designate) referred to, work has been continuing on the structures of government. But what is very often forgotten by both commentators and even some Members, is the enormity of the task. We are being asked to do in the space of a few months what others in Scotland and Wales have been taking years to do. It is very difficult without any experience of being in government suddenly to be confronted with an organisation that has 39,000 employees, 140 quangos and all other sorts of structures and come up with an instant answer. Indeed it is impossible.

We realise that we need to seek advice and that there are certain things that we will have to learn as we go along, which is not to say that we will not ultimately put our own thumbprint on whatever structures emerge. I suspect that what will evolve over a period of time will not be the same as that with which we started.



The question of internal structures is difficult enough but the issues relating to the North/South Ministerial Council and to the British-Irish Council are also fraught with difficulty. It is not that there is not a willingness to get on with them. Some of us are working very hard to get on with them — others, regrettably, are not; some are not doing anything at all.

The fact remains that we are being slowed down, to some extent, by the absence of Assemblies in Scotland and Wales. The Ulster Unionist Party would have been quite content for meetings of the North/South Ministerial Council and of the British/Irish Council to take place. However, that was prevented by others who interpreted the Agreement differently.

**Mr Roche:** Can the Member confirm that the Ulster Unionist Party would have been prepared to continue the development of all-Ireland mechanisms under this Agreement, without having reached agreement on either the machinery of government for Northern Ireland or on the democratic credibility of that government?

**Mr Empey:** The Member would be better occupied sorting out his own problems, such as the creation of the “Royal Irish Sióchána”, as suggested by one of his colleagues!

I am saying that the Agreement stated that consultation would take place between the Irish Government and representatives of the Assembly in order to identify areas for co-operation by 31 October. That seems to have escaped many people’s attention.

I believe that we are not far from identifying these areas, and that there will be a proper debate in the Chamber on the extent of those contacts and the matters that are to be raised.

The issue which hangs over the whole process is the commitment of people who are eligible, or may become eligible, to participate in the Executive to exclusively non-violent and peaceful means. In my view that is the core of the Agreement. We will hear later, just as we heard this morning, Sinn Féin representatives trying to throw sand in the air, and saying that the UUP is holding the whole thing up.

Any sensible interpretation of the Agreement will show that it refers on a number of occasions, including in the pledge of office and its opening paragraphs, to the need for commitment to exclusively peaceful and non-violent means. There is an incompatibility between that commitment and the operation and control of a fully armed and active paramilitary organisation.

The UUP, like the whole community, is expecting to see that we have moved from the position we have been in for three decades to a new situation where people rely exclusively on peaceful and democratic means to

try to persuade people to acknowledge their point of view. That should be based on nothing other than their arguments and their votes. Sadly, that is not the case.

What we want now is activity, and the sooner that happens the better. That is the only remaining obstacle to full implementation of the Agreement. It would be naive to sweep it under the carpet and pretend that it does not have to be addressed, or that it is not included in the core of the Agreement. I look forward to seeing that matter resolved. I look forward to seeing actions as well as words for nothing less will satisfy the demands of the community.

That said, we now have a wonderful opportunity because, returning to the matter which we referred to earlier, namely the promotion of Northern Ireland abroad, on the back of the Agreement and on the back of the award to the First Minister (Designate) and the leader of the Social Democratic and Labour Party, Mr Hume, there is a welcome for us in the wider international community. People are looking towards Northern Ireland for an example. The members of the European Union are sympathetic — as we shall discover next week. Taking all of this into account, there is a wonderful opportunity to promote Northern Ireland and, as I said at the weekend, I hope that a handful of warlords do not allow their vanity and arrogance to stand in the way.

**Mr Farren:** The hopes for economic development that arose, among others, from the Good Friday Agreement could be dashed if our current political logjam remains unbroken. When the tens of thousands of people from both communities voted for that Agreement, they were saying yes to all that it contained, and that included a more secure, prosperous and dynamic economic future.

It is evident from the report that we had this morning from the First and Deputy First Ministers (Designate) about their recent trip to the United States that in the wake of the Agreement investors are looking more positively at opportunities available in Northern Ireland. Already, significant new investments have been announced with the prospect of several thousand jobs, many of which require high-tech skills — the very kind of new investment that we want to attract.

Over the course of last year, as the prospects for an agreement were emerging, investment was also rising. The Industrial Development Board’s recent annual report indicates that a record level of investment was announced in that period. There was news of many world-class companies coming to Northern Ireland, such as Nortel, and new investment promised by companies like the Abbey National, British Telecom and the Prudential. This is evidence of the confidence that investors now have that Northern Ireland is a very attractive location.

It is not only overseas investors who are looking more positively at the opportunities provided in Northern Ireland; local investors and local companies are also planning to expand. In the period running up to the Agreement, 80 companies agreed projects with the Industrial Development Board involving investment of over £700 million, promising more than 7,000 jobs and safe-guarding a further 4,000 jobs. This is the kind of progress that the people who elected us want to see enhanced as a result of the Good Friday Agreement. We must work together to ensure that Northern Ireland becomes an even more attractive location for investment.

As I have been urging recently, we need to examine all aspects of our investment packages to see how that can become a reality, and we must include an examination of the advantages which fiscal discretion might provide, especially with respect to narrowing the huge advantage which the Republic of Ireland enjoys with its low rate of corporation tax - an issue frequently raised with our two Ministers during their visit to the United States of America.

2.15 pm

**Mr Farren:** While much important work has been undertaken, what people see is delay. They see the re-emergence of some of the old rhetoric of blame, counter-blame and recrimination.

There is evidence of delay in agreeing departmental portfolios, despite the fact that much work and discussion on the issue has been undertaken by several of the parties. Delay in establishing the North/South Ministerial Council is also evident. Progress can also be recorded on identifying the areas for enhanced co-operation and for the establishment of implementation bodies. However, if prolonged, these delays will almost inevitably begin to raise question marks over all the prospects and hopes in the Good Friday Agreement, not the least of which are prospects for economic progress. We cannot allow such questions to be raised and must ensure, therefore, that the impasse is broken.

There is a clear responsibility on all who signed the Good Friday Agreement to live up to the commitments that are contained in it, not just in the letter but also in the spirit. Progress has been made on many aspects of the Agreement, and I would single out the progress on prisoner releases. Painful memories are stirred by the highly publicised releases of people, many of whom were convicted of heinous crimes. Despite the painful memories that are evoked by those releases, there has been a general acceptance that they are an essential part of our peace process and of the process of binding the wounds that were inflicted on both our communities over the past 30 years.

The decommissioning of paramilitary weapons must be seen as part of the same process of peace. That process, which is as much a part of the Good Friday Agreement as the commitments on prisoners, on policing, on security and on equality and justice, must be implemented. The requirements include agreement that the resolution of a decommissioning process is an indispensable part of the process of negotiation. By that statement, the signatories accepted that decommissioning had to be resolved. Secondly, the signatories accept that the schemes that are to be developed by the independent International Commission on Decommissioning together with the two Governments, represent the basis for achieving decommissioning.

Thirdly, and most importantly, the signatories all confirmed their intention to work constructively and in good faith with the Independent Commission and to use any influence that they may have to achieve the decommissioning of all paramilitary arms within two years following the endorsement of the Good Friday Agreement.

This third commitment requires demonstrable action to show that parties are working constructively and in good faith with the Independent Commission and are using whatever influence they have to advance decommissioning. Such action must be evident to us all. It is not sufficient merely to indicate that nothing can be done when there is no evidence of what is being tried.

Clear evidence that parties are doing all that they can to bring about decommissioning in the period laid down would, together with an early start to the process itself, provide the needed reassurance of a total and absolute commitment to an exclusively democratic and peaceful means of resolving differences on political issues.

It would also show our opposition to any use or threat of force by others for any political purpose to which the Agreement has committed us all. An absolute and total commitment to exclusively democratic and peaceful means allows for no equivocation on the question of decommissioning.

I recognise that taking the gun out of Irish politics is a daunting task but if, as the paramilitaries own pronouncements suggest, there is a genuine desire among them for peace and for the establishment of a lasting democratic society in Ireland — one that will evolve by agreement — they will have to accept that decommissioning their weaponry is essential and is, from their perspective, an honourable part of creating that democracy. The Good Friday Agreement is the best chance that has ever been provided for the achievement of that democracy. It has received an overwhelming endorsement from the people of Ireland, and it must be allowed to progress in all its facets if we are to realise that democracy.

As the Deputy First Minister (Designate) put it so eloquently this morning, “We have no option but to succeed.” We in the SDLP look forward to participating in the initiatives that were announced this morning and that are to be taken later this week towards hastening that success.

**Mr P Robinson:** At its first meeting on 1 July 1998, the Assembly charged the First Minister (Designate) and the Deputy First Minister (Designate) to present to the Assembly proposals on a range of matters. They were required to bring that report to the Assembly by 14 September. On 14 September they delivered a report that was distinguished by the absence of the smallest grain of a proposition within it.

Their failure then and now to do the job we set them has nothing to do with lack of advice. On their staff there are 31 party hacks and civil servants paid for from the public purse, and another half dozen are winging their way to join them within the next 10 days. So 117 days later we are no further on than when we first sent them off to do a simple job. For the task they were asked to perform was simple — almost perfunctory.

The failure of the First Minister (Designate) and the Deputy First Minister (Designate) to execute the Assembly’s charge is not due to the difficulty of determining how many posts there should be for the distribution of ministerial responsibility. Rather it is due to the fear of what would happen should they do so. This problem has its roots in the deviousness of certain leaders during the referendum campaign. They found out that the Unionist people would not buy the Agreement they had cobbled together, so they determined to disguise the terms they had negotiated.

They told the Unionist community that terrorists would not be released from prison until decommissioning had occurred. They lied. They told the Unionist community that the RUC would not be endangered by the Agreement’s provisions. They lied. They said that all-Ireland bodies would be consultative and not executive. They lied. They said that all North/South bodies would be completely accountable to this Assembly. They lied. They said that the Agreement barred Sinn Fein from taking up Executive posts until decommissioning had taken place. Again they lied.

The Assembly is facing the dilemma over the formation of an Executive precisely because the Agreement did not resolve the question of decommissioning in the way the First Minister (Designate) has claimed. The delay in his producing for the Assembly a report containing substantive proposal is a testament to his ineptitude during the negotiations. If he wanted the Agreement to exclude Sinn Fein —  
[*Interruption*]

I thought I might have to dangle a little more bait before somebody would bite.

If he wanted the Agreement to exclude Sinn Fein from an Executive unless the IRA decommissioned its illegal weapons he should not have signed up until it did. He should have had it in the Agreement in clear and unequivocal terms that without guns being handed in the formation of an Executive would proceed automatically without Sinn Fein. He did not do that. That is one reason why I and a majority of Unionists voted “No” in the referendum. The dilemma faced by the First Minister (Designate) is therefore of his own making.

What are his options? The first option is that Sinn Fein could come to his rescue to save the united Ireland process that the First Minister (Designate) is fronting. If it does, it would be a token decommissioning, a fig leaf to loosen the wheels. It would not engage in substantial decommissioning or in a scheme for total decommissioning because its only power comes from the barrels of those guns. Without them, Sinn Fein would not be courted by Presidents and Prime Ministers as being important to the process, and it would not have the electoral clout to extract the concessions that it wants. This route would bring only temporary relief to the First Minister (Designate), and those around him know that.

The second option for the First Minister (Designate) is to seek to exclude Sinn Fein from the Executive through the provisions of the Bill that allows the Assembly to exclude those who are not committed to exclusively peaceful and democratic methods. However, under the undemocratic system that has been established, he needs SDLP approval for such a move, and he has no chance of getting that.

The third option is that of an honest man, who would admit that he had made a mistake and accept that he had entered unwisely into an agreement that could operate only to the disadvantage of those he represents. He might, while cursing his bad judgement, seek to make amends and extricate himself from the self-created mess he was in. A lesser man, however, rather than admit that those who warned him throughout the process were right all the time, would carry on with the farce. That only leaves one option — fudge and plenty of it. No matter how much he protests to the contrary, that is the route he will take. His past leads me to that conclusion. His present stiff opposition to entering an Executive with Sinn Fein compares with his equally stiff opposition to entering talks with Sinn Fein. History records how he crumbled then.

Already, the minions of the First Minister (Designate) are preparing the way for his retreat. His



close and trusted Chief Whip was setting course for a climb-down when last Saturday he said

“it is never, in my opinion, a good tactic to nail yourself too firmly to the post.

It just may be that on decommissioning a mistake has been made in regard to being so firm.

There must be room for manoeuvre.”

The ‘Belfast Telegraph’, in reporting those remarks, concluded

“Mr Wilson is a staunch supporter of Mr Trimble and it is unlikely he would have made his view public without consulting him.”.

I would go further. It is inconceivable that Mr Wilson would have made such comments if he felt that they were at odds with the views of the First Minister (Designate). We have had no substantial report today because the fudge is still cooking.

**Mr McLaughlin:** Go raibh maith agat a Cheann Chomhairle, Members will note that there were separate statements this morning. We should record not only general frustration and disappointment at the lack of progress, but the bad practice that is emerging of submitting statements at the last possible moment. That is unprofessional, and from the outset we must set our faces against such practices.

Next, we will be expected to accept that deadlines can be ignored. The statement contains clear evidence of continuing work, but attempts to camouflage the lack of real and inclusive engagement by, particularly, the First Minister (Designate) with all the Assembly parties.

I turn to the statement on the Industrial Development Board roadshow. The report to the Assembly raises a number of questions. First, there is the matter of the composition of the roadshow. Mr Trimble and Mr Mallon were there representing the Assembly in their capacities as First and Deputy First Ministers (Designate). Neither the Assembly nor the other parties, to our knowledge, were consulted about who should take their places. The roadshow was not, nor should it have been, a party political junket. Who decided that members of the UUP and the SDLP should replace Mr Trimble and Mr Mallon?

Many people have commented on the presence at the roadshow of Mr Jeffrey Donaldson who is not a Member of the Assembly — who chose him? Who cleared it? Was it agreed by any party in the Assembly, other than the UUP? Does the Assembly agree that this was a matter for consultation with its Members, notwithstanding the interests of Mr Gordon Brown, the Chancellor of the Exchequer?

2.30 pm

Although it will be necessary to study in detail today’s statement by the First Minister (Designate) and the Deputy First Minister (Designate), Sinn Féin notes the comments in section 3.2 on the responsibilities of the Office of the First and Deputy First Ministers. We have concerns about delegating too much of the decision-making authority of the Assembly, and we will comment on that in writing as we return to this matter.

We welcome the commitment in section 3.6 to intensive consultations with all of the parties in the Assembly. Of course, this should now be established practice, and it is clear that this is one of the failures of the process, thus far, which must be rectified. This section on intensive consultation is silent on when it is intended to conclude the consultation process and submit a detailed report for decision to the Assembly. It will not have escaped anyone’s notice that today’s meeting of the Assembly should have been considering this report in order to meet Saturday’s deadline. Will either the First Minister (Designate) or the Deputy First Minister (Designate) indicate to the Assembly when we can expect a finalised report?

Sinn Féin has honoured and continues to honour the commitments it made in the Good Friday Agreement. It has acted in good faith throughout, both inside and outside this Chamber. In recent weeks its members have held meetings with the British and Irish Governments, Mr Trimble, Mr Mallon, Mr Hume, Gen de Chastelain and other parties in the Assembly. All of these meetings — some of which had to be arranged on our own initiative — are evidence of Sinn Féin’s desire to see the Good Friday Agreement implemented in full.

We are making a contribution to the workings of the Assembly and have put forward a number of proposals that reflect this fact. We have proposed in a detailed submission that the Executive should administer 10 Departments, which we have identified, and that there should be all-Ireland bodies for job creation. We have also proposed a merger of the Industrial Development Agency and the Industrial Development Board, and we have made proposals for the Irish language, for tourism, for training young people for work and for implementing Europe’s programme of financial aid for this island.

We have also identified a number of other areas for discussion and development. We have given our views on the role of the Civic Forum, and we note the reference in today’s statement on it. The proposal for this body, contained in the first draft report submitted by the First Minister (Designate) and the Deputy First Minister (Designate), was totally unacceptable, but the section in today’s statement on the Civic Forum is still far too narrow.



The Forum must have a meaningful and dynamic role. It is an essential part of the new political dispensation for building a new society, and we believe it could assist us in entrenching equality, inclusiveness, openness and community accessibility in this new era. It should be complementary to the workings of the Assembly.

All the work that that has been done is being put in jeopardy by the stance being taken, particularly, by Mr Trimble. His comments at the weekend show clearly that he is in breach of the commitments he made on Good Friday, and while I want to address my remarks specifically to Mr Trimble I also wish to address those others who have signed the Pledge of Office.

Perhaps the difficulty is caused because Mr Trimble is confused about his separate responsibilities as First Minister (Designate) and Leader of the UUP. When he pronounces as the Leader of the UUP that he will continue to behave in an obdurate and discriminatory manner on the civil rights of a significant section of the Nationalist electorate, he must be aware that such behaviour is incompatible with the Pledge of Office.

We all know that Mr Trimble faces opposition from within his own party as well as from some of the other parties within Unionism. During the past week Mr David Brewster, a senior member of the UUP, has made it clear at a number of media interviews that he and many others in his party are fundamentally opposed to the concept of inclusive power-sharing, even if we could find a solution to the problem of decommissioning.

Mr Willie Thompson, in a debate last Wednesday evening in Dublin, went on record when he stated that he believes that decommissioning has the capacity to destroy the Agreement — and if the Agreement falls, Mr Trimble falls.

It is in this context that we must also welcome the remarks of the UUP's Chief Whip, Jim Wilson. There is a dichotomy in mainstream Unionism, and I hope that others too will address that issue.

It is clearly stated in the Good Friday Agreement that Sinn Féin has an automatic right to places on the Executive and on the all-Ireland Council. That right stems from our electoral mandate and from the demonstration that we are delivering our commitments to the Agreement. Neither Mr Trimble nor anyone else can deprive Sinn Féin and its electorate of that to which they are entitled.

Furthermore, Mr Trimble cannot decide — he does not have the right — exclude Sinn Féin, or any other party for that matter, from the Executive. So flying kites and trying to find some kind of centre-ground agreement simply will not work. There are no preconditions in the Good Friday Agreement — none.

All the institutions outlined in that Agreement are interlinked and interdependent. If there is no Executive, there is no Assembly. It is as simple and as straightforward as that.

Mr Trimble is operating under a delusion if he thinks that he can keep Sinn Féin out or delay the implementation of the Agreement. His position as First Minister (Designate) is dependent on his fulfilling the terms of the Good Friday Agreement, and that is dependent on his adopting an inclusive approach to the sharing of political power — a novel experience, I understand, for Unionism. But he cannot be First Minister proper unless there is an Executive, and there cannot be an Executive unless Sinn Féin's rights are accepted.

The overwhelming number of people on this island voted in May for that Agreement. Their wishes cannot be set aside because of internal difficulties in Mr Trimble's party. These are difficulties that he has to overcome.

If the parties fail to agree, it will ultimately be the two Governments' responsibility to implement the Agreement. We do not accept for one moment that the 31 October deadline — some five days away — should be allowed to slip by. We are six months on from the signing of the Agreement. There can be no excuse for further delay. Go raibh míle maith agaibh.

**Mr Neeson:** First of all, I should like to congratulate those who visited the United States in an effort to encourage inward investment. I hope that it will bring further success. I myself am going to the west coast later this week at my own expense to promote Northern Ireland and the Good Friday Agreement. The implementation of the Good Friday Agreement is crucial for attracting the investment necessary in Northern Ireland.

Having said that, the schools are on mid-term break, and I must confess that if we were to get a mid-term report, it would say "Failed. Must try harder next term."

The discussions about the Executive and the various Assembly structures should have been dealt with some time ago. Indeed, the whole process should have started some time ago and I will be very concerned if the 31 October deadline is missed. Were that to happen, I would consider it a breach of the Agreement. It states quite clearly that

"During the transitional period between the elections to the Northern Ireland Assembly and the transfer of power to it, representatives of the Northern Ireland transitional Administration and the Irish Government operating in the North/South Ministerial Council will undertake a work programme, in consultation with the British Government, covering at least 12 subject areas, with a view to identifying and agreeing by 31 October 1998 areas where co-operation and implementation for mutual benefit will take place."

The Agreement is quite clear on this.

Decommissioning is a very important issue and those who attended the Forum for Peace and Reconciliation in Dublin — the SDLP, Sinn Féin and the Alliance Party — will remember well the question put to F W de Klerk. He was asked whether he had any regrets about the negotiations that took place in South Africa and he said “I regret that we did not concentrate more on decommissioning.”

Following the Agreement, responsibility for dealing with the very important issue of decommissioning was placed in the hands of General de Chastelain. During the talks preceding the Agreement we dealt with confidence-building measures also, and we are now seeing those being put into practice as large numbers of prisoners from most paramilitary groups are being released.

It is time that corresponding gestures were made by those who hold the guns and weapons, and

I want to make particular mention of the disappeared. The whereabouts of the graves of Charles Armstrong, Gerald Anthony Evans, Jean McConville, Kevin McKee, Seamus Wright, John McClory, Brian McKinney, John McIlroy, Columba McVeigh, Brendan McGraw, Sean Murphy, Capt Robert Nairac and Seamus Roddy should be made known.

We have had promises that something would be done about this very important issue, but if Sinn Féin are genuine about building up trust and confidence, I call on them to make a public announcement about this today.

We talk about the silence of the guns and I welcome that silence. Most people in Northern Ireland recognise the contribution this is making to the process. But is this enough? This is a difficult issue, and one that must be dealt with by compromise with those who are directly involved in the conflict.

The report from the First Minister (Designate) and his Deputy promises — by means of bilaterals — intensive discussions on various issues that, I believe, should have been dealt with before now — the question of the structure of the Departments and the North/South issues.

**The Deputy First Minister (Designate):** When an Assemblyman is making observations — which he is entitled to do — should he not accurately reflect what was said by either the First Minister (Designate) or myself?

**Mr Neeson:** The phrase “intensive discussions” appears in the report that was presented to the Assembly today. The point I am making is that in my view, this should have happened a considerable time ago; in my view, this will now be a lengthy process and

in my view, a much better way of dealing with the issue would have been to form an all-party Assembly Committee similar to the one which deals with procedures and issues related to the running of the Assembly. We must intensify the operation so that we can get agreement on the structures which must be in place and move forward quickly.

Something else which concerns me is the hypocrisy of the political parasites within this Assembly — those who want to see the transfer of powers taking place, those who want to remain within the ambience of Parliament Buildings and continue to receive their cheques at the end of the month. These are the people who are attacking and stabbing in the back those of us who are trying to make progress in the process. That is hypocritical.

2.45 pm

They want power but are not prepared, now or in the future, to take risks as others have done. They must show that they are for real about making this Assembly work and providing the democracy in which the people in Northern Ireland through the Good Friday Agreement and by the elections to the Assembly have now placed their confidence. If we do not move forward there is a serious danger of the Assembly declining into the Forum “mark II”. That cannot be allowed to happen.

**Mr McCartney:** Is Mr Neeson suggesting that those who are in opposition to a majority ought not to be there? That is a very primitive and curious view of democracy.

Let me move to the main issue. I once prosecuted a dishonest car dealer on the basis that he flogged a car which had a worn out gearbox that was making dreadful noises by filling it with porridge oats. That kept it quiet for a little while but ultimately could not drown out the grinding of the opposing wheels. It is quite clear that the statements made by the First Minister (Designate) and his Deputy are full of porridge, but even that cannot drown out the grinding noise of their differences.

In paragraph 3.5 of his statement, the First Minister encodes his view of the Belfast Agreement by insisting on its “implementation” — and I noted the inflection of his voice — “in all its aspects”. He was clearly referring to his party’s requirements that the physical surrender and handing over of a substantial quantity of IRA weaponry and explosives be the beginning of an ongoing process leading to complete disarmament.

On the other hand, at paragraph 5.2 the Deputy First Minister (Designate) decries the failure to form the Executive and to hold inaugural meetings of the North/South Ministerial Council and the British/Irish

Council as the price paid for the deadlock on decommissioning. And who, according to Sinn Féin, is creating that deadlock? None other than the First Minister (Designate).

So even in this Assembly, with its aspirations to be ecumenical and consensual, we have the First and Second Ministers (Designate) unable to bring a report 'even at this stage' of any substance, because they insist on ignoring, at least in public, the fundamental difference between them. One cannot build a democratic institution upon an arrangement which permits parties inextricably entwined with violent terrorist gunmen into government. One cannot have a Government encompassing members of a party which is supported by a private army that retains the weaponry and explosives to destabilise the state, if their way is not achieved. One cannot have a democratic institution of any worth where one of the parties is exerting the leverage of that military capacity in order to get its own way and unambiguously expresses the view that this process and the Assembly is nothing more than a transitional phase en route to its ultimate destiny of a united Ireland.

Neither the First Minister (Designate) nor his Deputy will face up to that.

It is absolutely essential that no party in Government should in any way be connected with any organisation bearing arms that are not within the compass of the State. That is the position upon which I and the UKUP left the talks. The Deputy First Minister (Designate) quoted a very moving excerpt from a piece written by the Czech president; let me quote another even more famous Czech, the dissident and writer Milan Kundera, who said

"The struggle of the people against power is the struggle of memory against forgetting".

Now let us look at some of the "forgetting" on the subject of decommissioning.

The day after the joint declaration was signed — including paragraph 10, which excluded from the democratic process all those who had not put beyond them any contact with or any sympathy with the use of arms — Dick Spring, then the Republic's Foreign Minister, said in the Dáil "This means that Sinn Féin cannot come into the democratic process and look around to see what it has to offer and then, if it does not offer what it thinks necessary, go back to doing what it does best".

The then Leader of the Opposition, later Taoiseach, Mr John Bruton said "The arms must be handed in now. Now is a short word but its meaning is clear — without delay, at once, immediately, forthwith".

Those were major figures in the Republic. The British Government said that there had to be a permanent cease-fire, but after a while they forgot what permanent meant. They said that after three months there would be an assumption of permanence — an assumption that was shown to be absolute rubbish by the huge bomb that went off in February 1996 at Canary Wharf. Why did it go off? It went off because the process needed to be moved forward and the way to move it forward was through murder and mayhem in the City of London.

There was a further period of forgetting. We forgot, and the First Minister (Designate) forgets, that when he decided to stay on in the talks after it had become apparent that Sinn Féin was going to be let in after a six-week ceasefire and with no decommissioning he stayed on, on the promise — and Members will remember the Secretary of State, Mo Mowlam, jabbering on about a parallel process — that when agreement was reached, decommissioning would be accomplished. There was a period of forgetting about that too.

Then we had the Agreement. As a lawyer I share the view of Sinn Féin that there is no term expressed in that Agreement that requires Sinn Féin, forgetting moral considerations, to decommission. All Sinn Féin has to do is to use such influence as it may have to persuade those with whom it is inextricably entwined to decommission within two years — that is all. That is the legal obligation; it may well be that the First Minister (Designate) and the UUP would like it to be something more, but that is all it is.

There is, nevertheless, a powerful obligation. It is an obligation which is the very foundation of democracy and, therefore, I am at one with the First Minister (Designate) in believing that decommissioning is an essential pre-requisite to this Assembly's moving forward or to an Executive being formed. However, it is not in the Agreement.

And why is it not in the Agreement? It is not in the Agreement because had it been spelt out as it could have been spelt out, in the most expressed and simple terms, Sinn Féin would never have assented to it.

In a sense, Sinn Féin is right in saying that the requirement is not there; it would not have signed the Agreement if it had been there and, therefore, it cannot be held accountable. But what does that do? It throws into bold relief the weakness, the vacillation and the failure to ensure that honourable agreements were expressed in honourable, clear and unambiguous terms, and now the Assembly and the forward movement of the process are hung up on that weakness of those who negotiated the Agreement on behalf of the pro-Union people.



**Mr Empey:** What about the weakness of those who ran away?

**Mr McCartney:** The frequent interjections by Mr Empey show that he took his Viagra pills today.

One cannot fail to admire the skills of the Sinn Féin negotiators. They ran rings around the First Minister (Designate) and his party, whom I described within two days of the commencement of the talks as putty in the hands of experienced negotiators. They have certainly demonstrated the wisdom and foresight of that remark. There is no doubt whatever that Sinn Féin has achieved its objectives, which were: to have its prisoners released; to have a review of the criminal justice system; to dismantle security surveillance; to reform the RUC; and to have serial murderers running about the streets again. So far, not an ounce of Semtex or a single bullet have been decommissioned, and that will not happen until the ultimate objective of Irish unity has been achieved.

**Ms Morrice:** I thank the First Minister (Designate) and the Deputy First Minister (Designate) for the report, and particularly for the indication that all party consultations will be stepped up from this evening. It is important to get to grips with the vastly important work that needs to be done in many areas to get the Assembly up and running, and to carry out the work which we have been mandated to do by the Good Friday Agreement and by the people of Northern Ireland.

It would have assisted us in responding fully to the Ministers if we could have seen their statements in advance. However, we will attempt to respond point by point.

We welcome the interest that was shown by American investors on the United States trip, and have two points to make on that. First, we underline the need to ensure that inward investment is sustainable, and secondly, that it is encouraged to develop hand-in-hand with the development of local industry. A parallel approach is important.

The Women's Coalition has already presented a paper to the First Minister (Designate) on departmental structures. In that paper we underlined the importance of an integrated approach to governance. The idea of a central co-ordinating department, which was mentioned this morning, might provide that integration, and would be an important modernisation of our procedures. Secondly, the departmental structures must take account of the move from conflict to political stability.

We welcome the progress so far on the areas of the British/Irish Council and the North/South Council and look forward to speedier progress through consultation. Our paper on the North/South Council is nearing completion. We have consulted businesses, environmental bodies, health, education and other

bodies which have interests on both sides of the border. We see that as a valuable component of the Agreement that should work to the benefit of communities on both sides of the border.

The important issue of the Civic Forum was mentioned.

*3.00 pm*

We are pleased that the proposal has generated so much interest inside and outside the Chamber, although probably not enough inside. The themes that the Deputy First Minister (Designate) flagged up reflect our own soundings. In particular, we are pleased to see the gender balance, and the geographic mobility of the Civic Forum have been mentioned. Those are important issues.

We are concerned about some issues. For example, we noted the reference by the Deputy First Minister (Designate) to the definition of key social and economic and cultural themes that will be addressed by the Civic Forum. Members will want clarification on those and on other areas.

As the Assembly did not have advance notice of the statements, Members have had to sketch over these areas, but we have to address the issues on which the debate has focused. In the context of the implementation of the Good Friday Agreement, the NI Women's Coalition, like other parties, is disappointed that the 31 October deadline does not appear to be realisable.

Part of our problem, which has been recognised in the statements, is that we have been operating without the inclusive negotiating framework that served us so well in the past. The NI Women's Coalition maintains that parties should not seek to reopen negotiations on any point, but should assist in moving forward at a faster rate.

We acknowledge the fears of those who say it is difficult to do business with people whom they perceive to have some responsibility for weapons and their use. Equally, we think that decommissioning will and must be based on trust, and that we have a responsibility to build that trust together. At this time we need to create the building blocks of political accommodation. The bottom line is that if we want people to adhere to the democratic process, we must assert the primacy of the ballot box and the mandate that it delivers. It is only by strengthening the political process that we can reduce the rationale for the use of force. In that way, we can create an environment in which weapons become redundant.

The people of Northern Ireland voted overwhelmingly for the Agreement that we so painstakingly pieced together to be fully implemented.



They are crying out for political stability and normalisation. We have it within our gift to signal a significant shift to that stability by forming an Executive as soon as possible. Our community wants to see the fruits of the Agreement in which they have invested much faith. We must not let them down. Our shared goal should be to construct and deliver good governance for the people of Northern Ireland. They deserve no less.

**Mr Birnie:** There was mention earlier of the taking of certain tablets. As this is my first speech to this august body, I feel like taking a tranquilliser.

I welcome the statements by the First Minister (Designate) and the Deputy First Minister (Designate), and should like to focus on Strands Two and Three of the Agreement.

It is becoming a habit in political speeches to quote poets. In a 1914 poem called 'Mending Wall' Robert Frost wrote

"Good fences make good neighbours"

That is apposite to the UUP's position on Strand Two. The UUP are taking a positive and realistic view of its moral obligations under the Belfast Agreement. We have three key principles. We are working according to the best precedents of international law; our approach is soundly based on economic theory and practice; and we take cognisance of principles of public administration.

Let us turn now to specifics. We have had mention this afternoon of fudge and porridge — I hope that the following will be eminently more digestible than that. In terms of international law, there are technical problems in establishing joint bodies. The UUP feels that the most appropriate model would probably be what is termed "the International Organisation Model", roughly speaking the legal form currently adopted by the International Fund for Ireland. There are, for example, problems with the Foyle Fisheries Commission, a cross-border body which has existed since 1952. In a sense there is not one but two commissions, established separately in Irish and British law, and that is the cause of difficulties which are increasingly recognised in both Dublin and London.

Whilst this point has often been exaggerated, there are occasions when there are genuine economies of scale through joint work between the two Irish economies, and it is in those areas that North/South co-operation can be fruitful. We wish to avoid any damage to the efficiency and efficacy of our public administration by creating messy and inappropriate links with the Republic of Ireland.

The implementation bodies are precisely that. They are not the place of executive decision-making. That

power rests with the Ministers, who are accountable to the Assembly. The UUP view is that the implementation bodies are most likely to work well, to be feasible, where natural conditions create so-called spill-over effects between the two neighbouring states. We see possibilities in areas such as canals, some aspects of agricultural research and the environment. We will consider all cases on their merits. There will be extensive Civil Service technical-paper evaluation lodged in the Library and all Members should look at those and consider these issues carefully.

As to the broader work of the North/South Ministerial Council, we recommend that amongst its first acts should be the creation of an inventory of the existing areas of co-operation between Northern Ireland and the Republic of Ireland. In 1996, in a paper in the House of Commons' Library, 117 existing areas of co-operation were listed — no doubt more have been added over the last two and a half years. We would recommend, as an urgent task, a listing of what is currently in place. There should, furthermore, be the commissioning of reputable consultancy studies to consider the cost and the benefits of such existing co-operation.

We will seek to push the Dublin Government so that, either through agreement or arbitration, the frontier in the two areas of territorial sea, Lough Foyle and Carlingford Lough, can be established. As the World Bank and other international experts have recognised in cases as diverse as Russia or Brazil and South Korea, the establishment of sound property rights is a fundamental precondition for economic growth. The same is true with respect to shellfish production, an apparently lowly thing, but an important economic activity in the two estuaries.

We are anxious also that the British/Irish Council should start its work at roughly the same time. Paragraph 10 of strand three of the Belfast Agreement suggests that the constituent parts of the British Isles Council can establish bilateral and, indeed, multilateral agreements amongst themselves. The implication of that is that the North/South strand can be nested within East/West relations as well.

I will finish by noting the words of another Nobel laureate, Seamus Heaney, in his acceptance speech three years ago. When he received his award he suggested the establishment of "a net on the tennis court" by which he was referring to relations on this island. What we are working towards, despite the scorn which has been poured on us by some other parties, is a recognition of the ending of the Cold War, as it were, that there has been on this island over the last 75 or so years. We want the two states to exist in harmony, with the good neighbourly relations that exist everywhere else where there is good practice throughout the

European Union. The institutions which we create to that end may indeed help some to feel more at ease about their cultural identity, and that is fine from our point of view as well. We are also aiming to maximise the economic potential of the two Irish economies.

I support the statement.

**Mr Dallat:** I have listened very carefully to this afternoon's contributions. We had fig leaves from the DUP, and from the UK Unionists we had Viagra tablets. What sort of image is that to send out? How do the 71% of the people who voted for change feel when they hear such contributions in this Assembly?

I want to pay tribute to Mr Trimble and Mr Mallon for the opportunity they have created for me to do something for the borough council that I have represented for 21 years along with Mr McClarty, who is on the opposite bench. On 9 November we will go to the United States to re-visit five of the cities visited by Mr Trimble and Mr Mallon. That is the first opportunity we will have had for years to do something about the abominable unemployment in Coleraine, which stands at 9.6%.

The Assembly can create opportunities not just for those in local councils, but for anyone involved in community groups or regeneration programmes to do something for the first time. But we can only do that if we get on with the business of the Agreement and sit down and work together in harmony. One of the oldest of the many quotes here today is

"She would rather light a candle than curse the darkness."

I suggest that we light a million penny candles right across the North and give people the confidence and the hope which was afforded to them in the referendum last June.

I do not want to be negative, but I refer back to the scenes in the Chamber this morning. Let us never have those again, because we cannot quantify how many jobs were lost by the negative and appalling behaviour of some Assembly Members. Let us give hope to the 10,000 young people who leave these shores every year, and have been leaving for the last 30 years. Rather than drive people away, let us invite them back. Let us send the message right around the world that we are in business and are creating jobs by following in the footsteps of the political parties which have gone to the United States and opened the doors.

As Mr Empey said, Coleraine is not alone: Belfast City Council is going; Newry and Mourne is already away. Many others will follow, and the impact must be positive for everyone. That is the message that must go out from the Assembly, and I hope our friends in those political parties who feel the need to deride the hard work done by others will change their attitude.

I am pleased to report that Mr McClarty from the Ulster Unionist Party and I will be accompanied by members from the DUP and the Alliance Party when we go to the United States next month. We will be united. So perhaps, despite the wishes of certain people, everything is not as bad as it might appear. We are going forward — not as quickly as we should — but we will get there.

The Deputy First Minister (Designate) told us this morning to "plant the seeds of trust and water the ground". That is precisely what every Member should be doing, and every word that we utter can help to do that.

3.15 pm

**Mr Poots:** On 14 September, we received a report from the First Minister (Designate) and the Deputy First Minister (Designate). That report contained no detail. Six weeks later, we have a report which includes a little detail. Certainly, there does not appear to be six weeks' work in it.

In this report, in place of detail there is much about consultation, which is referred to in paragraphs 3.1, 3.4 and 3.6. What consultation has taken place thus far with the parties? There have been four plenary sessions of the Assembly. The DUP has had one consultation with the First Minister (Designate), while Mr Adams has had three private consultations.

The public do not know what is going on in the Assembly; nor do the Members. I read the detail of what happens in the Assembly in the newspapers, and hear about it from the media. A few days ago, we were told about the appointment of junior Ministers. I have never received any communication about that. Clearly, the First Minister (Designate) and the Deputy First Minister (Designate) want to create a greater role for themselves, as they set out in paragraph 3.2, a greater role than that already set out. That should cause some concern.

The Assembly is supposed to bring democracy to the people, and to create a democratic institution that is accountable to the people. The Assembly was supposed to take us away from the situation where Ministers fly in for a week, conduct their business, and fly out again. Yet, the First Minister (Designate) and Deputy First Minister (Designate) are suggesting a system whereby there will be less consultation with the Assembly, making it less accessible to the public.

**The Deputy First Minister (Designate):** The Member mentions consultation, or the lack of it. Is the DUP yet able to make available its detailed proposals on the departmental structures for Northern Ireland, the North/South Ministerial Council, the British-Irish

Council or the Civic Forum? We have been waiting some time for anything in writing from his party.

**Mr Poots:** First, we are waiting for the decommissioning that was promised some time ago by the First Minister (Designate). The DUP is willing and able to provide all the necessary information, but we will do that in the proper way, not by writing letters to the First Minister (Designate) or the Deputy First Minister (Designate). We will do it on a proper consultation basis.

All that the document contains is talk about consultation, but the consultation has not taken place. We need to know how the Assembly is run, and what is being done in this building, but Members are not being consulted on those matters.

The First Minister (Designate) asserts his commitment to all aspects of the Belfast Agreement, and Mr Birnie quoted from a poem by Robert Frost about good fences making good neighbours. That poem also states

“Something there is that doesn’t love a wall”.

It seems that the First Minister (Designate) does not “love a wall”, because by the end of the week, more than half the terrorist prisoners will come out from “behind the wall”, and will be back on our streets although not one ounce of Semtex or one bullet has been handed over.

Decommissioning was supposed to be tied into the Agreement and the Prime Minister’s pledges. People talk about how 71% of the community backed the Agreement but either the community or the Ulster Unionist Party leadership was misled, because it was said that Sinn Féin would not get into the Executive without decommissioning. It was said that IRA prisoners would not be released without decommissioning. Many gullible people who put their faith in the First Minister (Designate) were misled. It was not the First Minister (Designate) who was misled, it was the community at large.

There is also little or no detail about the British/Irish Council.

The Deputy First Minister (Designate) spoke about the Nobel Peace Prize and congratulated Mr Hume and Mr Trimble on receiving it. In a football match they do not give the cup out at half time; when a person is running the mile in the Olympic Games, he does not get a medal when he has done three laps. Since the Agreement was signed almost 40 people have been killed in the province and over 400 people injured. More and more terrorists are roaming our streets and there is no reduction in the number of bullets and the amount of semtex and other explosives that are

available to them. It is premature for both Mr Trimble and Mr Hume to receive the Nobel Peace Prize.

In paragraph 5.2 the Deputy First Minister (Designate) attacks Mr Trimble and his party over the disagreement on the structures of government and the North/South implementation bodies — we hear that Mr Trimble and the Ulster Unionist Party would like seven departments while the SDLP and Sinn Féin would like 10. Is there any need for 10 departments? How much will they cost? Is it simply a matter of creating more jobs for more people? With 10 departments, plus Junior Ministers, how many jobs are we going to create and who is going to pay for it all — the taxpayers?

In paragraph 6.1 we discover that the SDLP and UUP have set up a small and exclusive working group to discuss the North/South Ministerial Council. In doing so they have not consulted with the other parties.

Then there is mention of the Civic Forum. The Democratic Unionist Party believes that there should be no such forum. It would just be another quango, another unnecessary tier of Government. If it is to be set up, it should not just be to give jobs to the boys and girls who could not get elected to the Assembly. It should have as widespread a representation as possible; it should be composed of groups who are not normally associated with such quangos and not composed of the goodie-two-shoes groups that are always in the Government’s back pocket.

Mr Mallon also referred to the Brussels trip and to building on the success of the Special Support Programme for Peace and Reconciliation (SSPR). I do not agree that the SSPR has been a success. Many of the jobs and projects that have been created are not sustainable. The leadership of the Assembly, the First Minister (Designate) and the Deputy First Minister (Designate) would be better concentrating on trying to achieve Objective 1 status again. I recognise that our economy represents 83% of the Gross Domestic Product and that we are only supposed to have 75%, but the circumstances in Northern Ireland could be used to argue for Objective 1 status. It would be better to do that than argue for an extension of the SSPR.

**Mr G Kelly:** A Cheann Chomhairle, the First Minister (Designate), as the Leader of Unionism has spoken ad nauseam over the past number of weeks about his interpretation of what other parties’ obligations are. He has, on the other hand, said or done precious little to discharge his obligation under the Agreement.

Caithfidh an Chéad-Aire labhairt agus obair ar son an phobail uilig agus ní amháin dóibh siúd a thugann tacaíocht d’Aontachtóirí Uladh.



The only institution established to date, as a result of the Good Friday Agreement is this Assembly — an Assembly which Republicans did not particularly want. But we went along with it, because it was a part of the overall Agreement and the mechanism for entering in to an all-Ireland Ministerial Council.

One reason Republicans did not particularly want an Assembly was the track record of past Unionist Administrations and their obsession with retaining all power for themselves. True to form, the Ulster Unionists have proved that “the leopard does not change its spots”.

The Ulster Unionists’ reluctance to implement the Agreement is about preventing change. It is specifically about preventing the changes contained in the Agreement which they see as benefiting Nationalists. In effect, Mr Trimble is denying access to the Nationalist elements of the Agreement. It is simply a different angle on the Unionist veto, a continuation of the idea that a Unionist voter is more valuable than a Nationalist one.

He does not want Sinn Féin in the Executive because he knows that he cannot bully or intimidate us. He hopes that if he succeeds in excluding Sinn Féin from the Executive, that it will conform to a Unionist agenda. He confirmed this at his party conference on Saturday when he assured delegates that although they would have to share power with others, it would be administered predominantly by Unionists.

Mr Trimble should read the Agreement and then discharge his obligation under that Agreement instead of quoting non-existent obligations of other political parties. We are told that there will be intensive consultations. We will attend any consultations, but they appear, at best, to be window-dressing. When will they be finished? What is certain is that Sinn Féin will not be engaged in any charade.

It is Mr Trimble and the Ulster Unionists who are in breach of the Agreement which they signed up to. In his Pledge of Office Mr Trimble promised to discharge in good faith all the duties of the office, to serve all the people equally and to act in accordance with the general obligations on Government to promote equality and prevent discrimination and to participate with colleagues in the preparation of a programme of government.

He has completely failed to act in good faith and by refusing to establish the Executive as set down in the terms of the Good Friday Agreement, he is certainly not serving all the people equally, nor is he participating in the preparation of a programme for government. He has dishonoured his Pledge of Office and no political cover should be given to him in this regard. If he will not

implement the Agreement, then the two Governments must forge ahead and implement the Agreement.

Under the section on Executive Authority, paragraph 16 states

“Following the election of the First Minister and Deputy First Minister, the posts of Ministers will be allocated to parties on the basis of the d’Hondt system by reference to the number of seats each party has in the Assembly.”

That has not happened and is four months overdue.

Paragraph 8 of the section of Strand 2 states

“During the transitional period between the elections to the Northern Ireland Assembly and the transfer of power to it, representatives of the Northern Ireland transitional Administration and the Irish Government operating in the North/South Ministerial Council will undertake a work programme, in consultation with the British Government, covering at least 12 subject areas, with a view to identifying and agreeing by 31 October 1998 areas where co-operation and implementation for mutual benefit will take place.”

The Ulster Unionists have prevented any work being undertaken in this area to prepare for that date. This is a glaring breach of the Agreement that Mr Trimble signed up to on behalf of his party. Is this discharging his duty in good faith? I do not think so.

Mr Trimble’s obstinacy is not just denying Sinn Féin and our electorate what is ours as of right, he is denying all the people of this island the benefits that they are due under this Agreement. Changes and benefits which the vast majority of people of the island, North and South, voted for in the referenda. The two Governments have an onerous responsibility to insist that Mr Trimble and the Ulster Unionists deliver on the implementation of the commitments that they gave when they accepted the Good Friday Agreement.

If the Ulster Unionists are unwilling to discharge their obligations under the Agreement, then Mr Trimble may be the leader they desire, but a judgement should surely be made as to his suitability as First Minister.

**Mr K Robinson:** My party Leader must be doing something right. He seems to be the topic of every conversation and every comment in the Chamber today. I am sure he is feeling very pleased.

May I make a point which Assemblyman Dallat from North Antrim came very close to making. The public perception of the work in this Chamber after this morning’s performance must be near nil, and that is very unfair. As we all know, many Members have worked extremely hard behind the scenes and have taken many risks on the road that has brought us all here.

3.30 pm

This is not a perfect vehicle, and none of us would try to pretend otherwise, but it provides an opportunity



to achieve some of the things that people wish us to achieve on their behalf.

Mr Dallat told us that he spent a long time in local government, as have many Members. Those who worked in local government, with its three powers of emptying bins, giving people a swim — in the Valley Leisure Centre in my case — and burials — in Carnmoney Cemetery in my area — wished for further powers. One of the powers that we wished for was economic development. We got our wish, and local councils are carrying out much good work in that area.

I congratulate the First Minister (Designate) and Deputy First Minister (Designate) and those who accompanied them to the United States, on this mission. I hesitate to use the word “bandwagon” because it does not seem right, but that is the word that is being used. I am particularly pleased by an announcement that affects my constituency, and especially the Training and Employment Agency on Newtownabbey Council in the Monkstown area.

We have achieved 150 high-tech jobs. Northern Ireland needs such jobs for a variety of reasons. They will allow our under-graduates to work through our excellent education system with the prospect of real and meaningful employment in Northern Ireland. Such jobs will attract more industries to Northern Ireland and, hopefully, will attract back the people whom we have lost over the generations. While I welcome those jobs to my area, I wish to see more of them throughout the province.

I came here with three aims in mind. I want to achieve proper education provision for all, from nursery, through primary, secondary and grammar schools, to tertiary education. We all need to work towards that end. Without that firm foundation, Northern Ireland PLC cannot exist and cannot provide the type of jobs that were announced today.

We all wish to see proper health provision, but this morning we wasted more than an hour and a half in a sterile debate. It is interesting to note that almost all of that debate was in one language, but that is an issue for another day.

We all want proper, sustainable employment, and to achieve that, we must work together, whether we talk about Northern Ireland or the North of Ireland. I do not care what terms people use as long as they present a united front in America, Europe or elsewhere to help to secure the jobs that will provide a sound and stable base for society. Without that, we are whistling in the wind.

I am sorry that I have no poetry to offer. I do not have much time these days to read. All sorts of clichés, including the one about confidence building, have been bandied about. The greatest confidence-building exercise in which we can all engage is to make sure that

we achieve the jobs that will keep the best brains here. If we do that, the people who watched this morning’s performance will congratulate us and say we have caught ourselves on.

**Mr Gallagher:** I welcome the report and its possibilities and challenges.

Paragraph 8.2 refers to the Brussels Conference. I mention that paragraph because of its connection with farming, which is our most important industry.

I would remind Members of the crisis that exists there.

I spoke with the director of the Farmers’ Mart in Enniskillen — one of the largest marts in the North — and he told me that two years ago the average price of store cattle was £460 per head. Last week the average price of such cattle was £270 per head. Furthermore, suckled calves were realising £350 per head two years ago while their equivalents last week were barely making £200.

Members will agree that prices have tumbled and farmers are in a very sorry state. I was speaking to a couple of farmers over the weekend — they had been out in their fields, knee deep in water, bringing in their livestock — and they estimated that their fodder will probably last until Christmas. They are watching their counterparts in the Republic of Ireland. At the risk of disappointing the Member for East Belfast, there is no frontier in my constituency — you are more likely to find a gate or a fence. Indeed, in some cases, there is nothing at all to distinguish the terrain. Animals in the Republic of Ireland are making £150 per head more than animals in Northern Ireland.

The Agriculture Minister recently went to Brussels and received a higher allocation of intervention, which brought much relief to farmers. However, the speediest way of alleviating the problems here would be to lift of the export ban. That would quickly open up ready outlets. Paragraph 8.2 says that there will be a meeting between representatives of the Assembly and the Agriculture Commissioner, Franz Fischler. Would it be appropriate to raise specific matters at that meeting? I refer particularly to the lifting of the live export ban.

**Mr Morrow:** On being informed this morning that the First Minister (Designate) and the Deputy First Minister (Designate) would be making a progress report to the Assembly on the way forward, I took my seat with baited breath. Alas, that anticipation was short-lived, because upon receiving a copy of the report I began to wonder what this was all about. When the people of Northern Ireland see the report I am not sure that they will jump up and down with joy and say “We are going places.” A report on the trip to the United States is a poor substitute for telling the people of Northern Ireland about the way forward. A much

more comprehensive report was expected, but we are left with just this.

Economic progress will only come when terrorism, or the threat of it, is permanently removed from Northern Ireland. With terrorists being released ad infinitum before a single bullet or an ounce of Semtex has been handed over, the people of Northern Ireland could be forgiven for feeling that this process is entirely one-way. It is painfully obvious that the First Minister (Designate) and his deputy are quite divided on the best way forward. They have failed on a second occasion to tackle the hard issues — they are backing away from them yet again.

Speaking at the weekend to his party faithful and addressing Sinn Féin, Mr Trimble said

“you can take your time, we have all the time in the world to wait for you”.

If past experience has taught me anything, it is that Sinn Féin will keep him waiting. He will wait so long for Sinn Féin to decommission that he will become a statue. Sinn Féin/IRA can wait as long as it likes because Mr Trimble intends to wait, no matter how long it takes. Of course Sinn Féin/IRA was always aware of that, and it has a private army at its back, ready to deliver the necessary message at the appropriate time.

Just before Mr Trimble addressed his party faithful, his colleague and Chief Whip, Mr Wilson, was paving the way for yet another U-turn. In the glare of the television cameras he stated

“we should not nail ourselves too tightly to any position”.

He was saying “decommissioning could destroy us, and it would be better to get off that hook”. Mr Wilson is no fool, and he would not have made such utterances without the prior agreement of his party Leader. If he made those utterances without that agreement, he would no longer be the party’s Chief Whip — he would be removed from that position.

Mr Wilson was preparing the Unionist electorate for another U-turn or, as my party colleague Mr Robinson put it, another concoction of fudge is about to be administered. It is better that the message is delivered by someone other than Mr Trimble and Mr Wilson, with no disrespect to him, might just be expendable. However, the First Minister (Designate) is not. Within Mr Trimble’s party ranks another splinter group has staggered to its feet. It calls itself Union First. It has to be sorted out and kept at bay. Some of its members are on the UUP Back Benches today.

So Mr Trimble has many problems, not the least of which is that his Deputy First Minister (Designate) is breathing down his neck and saying “David, you had better get a move on because my Back-Benchers are getting a little bit impatient too”. Meanwhile, the people

of Northern Ireland are waiting for the great delivery which was to be made today. Alas, we shall leave the House not a bit wiser than when we first met.

Mr McLaughlin laid it fairly and squarely on the line. His remarks will not go unnoticed by the Unionist community. The Sinn Féin/IRA message as to why there will be no decommissioning is loud and clear. Those arms may be required for another occasion to push the business a little further. Let us not forget Canary Wharf: it had a tremendous effect in centring the Prime Minister’s attention on Northern Ireland, and the Agreement was delivered post-haste.

An Agreement that works simply at the behest of those with guns is sure to fail, because even within the ranks of the UUP, there are still those who will say that enough is enough. The First Minister (Designate) is not prepared to face up to that — but he will have to face it in the not too distant future.

Of course, some will say that decommissioning is not that important. What is important is that the guns are silent. We on this side and the people of Northern Ireland say, “If only that were true”.

One of the big failures of this Agreement has been the inability to grab the illegal guns. In 1972, when Stormont was prorogued, we were told that a better system of government would be introduced. It was called direct rule. Thousands of people have lost their lives as a result of that better system of government.

3.45 pm

On 15 November 1985 we reached another historic landmark — the diktat was signed. This was to have moved us forward, yet hundreds of people lost their lives.

Then we were told that another agreement had been signed. They called it the Good Friday Agreement. They must all have been speaking Irish that day. What has happened since its signing? Over 30 people have lost their lives. So we stumble from one agreement to another, and all the time we are told that this is a better way forward.

What has been happening? The First Minister and his deputy fumble along, go on a junket to America and talk about economic expansion and development. Now, nobody would decry the fact that jobs may come to Northern Ireland — and they would be welcomed — but the saving of people’s lives is much more important than any report that may be produced as a result of this visit to the United States or anywhere else. If Mr Trimble and Mr Mallon cannot face up to it, they should tell the Assembly that they are divided. The world at large knows it, to be so.

Was it not the Leader of the SDLP who coined the famous phrase “Guns should not be on the table, under the table, or outside the door”. Everybody applauded that statement. It seemed to be something that people could identify with, but alas it is seldom referred to now by those whom I would call my political opposition. Why? Because it is patently obvious that decommissioning is not going to take place unless and until everything else is in place. So we cannot look forward to decommissionings taking place in the not-too-distant future.

It ill behoves the First Minister (Designate) and his deputy to present a report such as this. We know that they have not chartered the way forward as was their brief, and look forward with bated breath to the day when they can produce a report which they will be justified in presenting to the Assembly.

**Ms de Brún:** A Chathaoirligh, is ábhar inní domh nach bhfuil tuairisc iomlán fiúntach ar fáil ón Chéad-Aire agus ón LeasChéad-Aire, rud a bhí le bheith againn fada ó shin de réir an Chomhaontaithe. Ní thig leis an Chéad-Aire feidhmniú mar Cheannaire Aontachtóirí Uladh amháin. Ba chóir go mbeadh na rannóga agus na hAíri in áit ag an phointe seo, le go mbeadh an Chéad-Aire, an LeasChéad-Aire agus na hAíri iomchuí in ann clár oibre a chur le chéile agus a chur i gcrích roimh dheireadh na míosa seo. Tá ábhar inní eile agam maidir leis an ráiteas a fuaireamar ón Chéad-Aire agus ón LeasChéad-Aire ar maidin. In alt 6.1 deirtear go bhfuil grúpa oibre curtha ar bun ag Aontachtóirí Uladh agus ag an SDLP.

Níl rud ar bith ag Sinn Féin in aghaidh leithéidí sin, a mhalairt ar fad, fáiltimid roimh theacht le chéile idir páirtithe ar bith. Ní thuigim féin, áfach, cad chuige an bhfuil sé sin luaite sa tuairisc seo. Cuid d’obair an Chéad-Aire agus an LeasChéad-Aire atá san obair seo. Ach an bhfuil siad beirt ag obair ar ár son uilig nó ag obair ar son a bpáirtithe. Má tá siad ag obair ar ár son uilig cad chuige nach bhfuil comhchomhairle fiúntach leanúnach ag dul ar aghaidh ó thaobh na rannóga agus ó thaobh an Chomhairle UileÉireannach. Nuair a bhíonn státseirbhísigh an Tuaiscirt agus an Deiscirt ag teacht le chéile an mbíonn siad ag plé moltaí a tháinig ón dhá pháirtí sin nó moltaí a tháinig uainne uilig. Cé atá ag stiúradh obair na státseirbhíseach sin gan an chomhchomhairle doimhin leanúnach a ba chóir a bheith ann agus atá in easnamh go dtí seo.

Cuirim fáilte roimh an ráiteas agus roimh an mholadh atá sa ráiteas ón bheirt ar maidin go mbeidh comhchomhairle curtha ar bun. In alt 3.6 agus 6.6 deirtear go mbeidh comhchomhairle ann agus go dtig leis an Chéad-Aire agus an LeasChéad-Aire ina dhiaidh sin socruithe an tuairisc a chríochnú. Ní deir sé cá huair, áfach, níl dáta ar bith againn cén uair a thiofais an ráiteas sin. Mar sin iarraim orthu beirt a rá linn inniu

cén uair a bheas an tuairisc iomlán againn. Chomh maith leis sin, mar a luaigh mé níos luaithé, fáiltimid roimh an mholadh go mbeidh comhchomhairle ann agus feicimid ón mhéid a dúradh sa ráiteas sin go mbeidh sé sin curtha ar bun go práinneach. Feicimid go bhfuil práinn le teacht le chéile an Tionóil agus iarraimid ar an Chéad-Aire agus ar an LeasChéad-Aire inniu a rá linn go mbeidh an Tionól ag teacht le chéile go práinneach leis na hábhair sin uilig a phlé.

We are very concerned that there is not a complete final report from the First Minister (Designate) and Deputy First Minister (Designate) today as we should have had long ago as far as the agreement envisaged. It is clear that the First Minister (Designate) cannot act merely as Leader of the UUP. The Departments and the Ministers should have been named by now so that we would have been able to come together through the relevant Minister as stated in the Agreement. The First Minister (Designate), the Deputy First Minister (Designate) and the relevant Ministers could come together in the North/South Ministerial Council to complete the work programme by the end of this month.

We have another concern about the report. It states that the SDLP and the UUP have established a small working group — that is not a problem; Sinn Féin has no difficulty with any parties coming together and establishing a working group.

However, I am unclear as to why this is mentioned in the report. Is the work of this group part and parcel of the work of the First Minister (Designate) and Deputy First Minister (Designate)? When the First Minister (Designate) and Deputy First Minister (Designate) are seeking detailed assessments, are they seeking those assessments on behalf of this working group or in relation to proposals coming from all of us? How is the work of the civil servants, North and South, currently being directed in the absence of the proper consultation that should have been taking place amongst all the parties to date but has not been? The report states that there will be intensive consultations now — and I welcome that — but this should have been taking place, and is worrying that it was not.

Paragraphs 3.6 and 6.6 state that this consultation is going to take place so that the First Minister (Designate) and Deputy First Minister (Designate) can complete their report, but there is no indication of when they intend to have that report completed. I am therefore asking the First Minister (Designate) and the Deputy First Minister (Designate) to let us know when we can expect to receive it.

I welcome the fact that intensive consultations are foreshadowed, but, given the urgency and the approaching deadline, Members should be told today that the Assembly will be recalled to complete these



discussions so that we are assured that the proper steps are being taken to have this report completed and presented at an early date.

**Mr Ford:** It is regrettable that this debate is taking place only today. The target date of 31 October 1998 was realistic for the establishment of all the bodies which would depend on this Assembly for their functioning. It is now exactly four months since the Assembly election, and that time should have been adequate to complete that work. However, the discussions that were necessary to set up those bodies have failed to materialise.

We had good economic news today from the First Minister (Designate) in his references to the US trip. Mr Ken Robinson of East Antrim highlighted the good news for an area within his constituency and on the boundaries of mine. I welcome that news but, although I regard economic development as a major issue for the Assembly, the first priority has to be to get the new institutions of government into operation and control, democratically and locally, matters such as agriculture, hospitals and business confidence. Those issues were highlighted by the Deputy First Minister (Designate).

I agree that there should be more intense inter-party discussions on departmental structures, North/South structures and the British/Irish Council. British and Irish civil servants have had many discussions on those structures. Papers have been prepared and the technical assessments on the North/South bodies have been lodged in the Library. There have been meetings with officials in Edinburgh and Cardiff—even with officials in Douglas, St Helier and St Peter Port.

In all that activity, the one huge blank area is in the Assembly. We have the democratic mandate, and the principal responsibility of moving the process forward, but we are not doing that. We are failing those who elected us, and that is a criticism not only of the First Minister (Designate) and the Deputy First Minister (Designate) but of every one of us, because we have not encouraged them as much as we should have done.

Frequently, during the two years before the Good Friday Agreement, we, the local politicians, relied heavily on outsiders such as George Mitchell, Harri Holkeri and John de Chastelain. It is time we learned to stand on our own feet and accept the responsibility that we claimed to want when we stamped the streets at election time.

If the First Ministers (Designate) and the Deputy First Minister (Designate) are starting a serious process of consultation, Alliance will certainly play its part. It is important to pick up the momentum. We must not lose it. That should have happened a long time ago.

Their statement promised us a period of “intensive consultations” on departmental structures; consultations on the British/Irish Council; “intensive

consultations” on North/South Bodies; and an intensifying of consultations on the Civic Forum. The first function of the Assembly is to ensure that those other structures are set in place.

Part of the problem is that we speak different languages here — and I am not referring to Ulster-Scots, Ullans or Irish. I heard that analysis a while ago. Nationalists have a wonderful habit of putting the broad brush picture about. They will slap up a few general principles and all will be right on the night. Unionists tend to speak in the detailed examination mode, and we had some perfect examples.

Mr McLaughlin and Mr G Kelly alleged that the First Minister (Designate) is unwilling to share power. I do not believe that, but the UUP — and not just the Leader — have to show their good will towards bringing the process on board. Their response was shown to some extent by Dr Birnie who gave a detailed analysis of business and technical issues concerning North/South Bodies.

That may be valid, but I suggest to him, though he is not here to hear it, that the approach that parses every sentence, dots every ‘i’, crosses every ‘t’ and demands a consultant’s report before anything is done, gives the impression of foot-dragging.

Unionists must recognise the symbolic importance of cross-border bodies being set up. Decommissioning is symbolically important to them. It is clear that we have missed the 31 October deadline for the setting up of institutions. We also missed the deadline for the Good Friday Agreement — as I recall, by about 17 hours. I had hoped that it would be possible to be within 17 hours of the 31 October deadline, but that seems impossible. We do not seem to do any work until we are up against the wire, and we are certainly against the wire now.

I urge the First Minister (Designate) and the Deputy First Minister (Designate), now that they have established the kind of momentum that is reflected in the report, to keep it moving and to ensure that all parties work together to get the structures in place.

4.00 pm

**Mr Roche:** When the Deputy First Minister (Designate) was congratulating Mr Trimble and Mr Hume on the Nobel Peace Prize, I could not help thinking of the description given by Bruce Anderson in his obituary on the IRA leader Sean MacBride. Anderson’s comments on MacBride receiving that award were that it was the most disgraceful episode in the history of a dubious award, and this award is certainly dubious. It is dubious for two fundamental reasons.



First, it is entirely premature. We do not have peace, we do not even have what any normal, decent citizen would call a ceasefire, and we do not have any possibility or prospect of peace. For example, at the beginning of August, Mr Adams told the world at large, via the Internet, the conditions that would be required to bring about peace. Not one of those conditions exists at the moment. When he said that we did not have peace, he was really threatening that if those conditions — which ultimately involve what he calls the reunification of Ireland — are not met we will go back to war.

We do not have peace, and we do not even have what any decent citizen would regard as a ceasefire. What we have is a corruption of what used to be called constitutional Nationalism. In a 'Belfast Telegraph' article a few nights ago, Mr Joe Byrne had the audacity to state categorically that no one has the right to demand decommissioning. In other words, it seems that no one has a right to demand the surrender — I prefer to avoid the word decommissioning — of a terrorist arsenal to lawful authority. If that is the case, it means that the holding and the use of an arsenal, are entirely legitimate.

That is an issue, Mr Byrne, that your party leader and the Deputy First Minister (Designate) will have to address, because when you wrote that article you were not writing it in a personal capacity. You were writing it, if my memory serves me right — and I am not sure of your exact position within the party, but it is well within its upper reaches — on behalf of your party. You were speaking, therefore, on behalf of Mr Hume, who has just received the Nobel Peace Prize, and on behalf of Mr Mallon, who is Deputy First Minister (Designate) of what we hope will be an Assembly and a form of government for Northern Ireland based on authentic and genuine democratic practice. I would like them to address that question in due course.

**The Initial Presiding Officer:** I would draw your attention — and I have waited so as not to interrupt the flow — to the fact that the proper procedure is not to address a Member directly, but to address him through the Chair; and there are good reasons for that. You are not the only offender.

**Mr Roche:** I take your point.

Not only do we not have peace, but one thing which is becoming increasingly clear — and the Leader of my party reminded us today about the use of porridge to quieten a grinding gearbox — is that we have developed a language associated with the peace process which has been designed to obscure the reality of what that process is about. We have reached the absurd stage — and this shows an inexperience of a democratic Assembly — where we had, this morning, a series of complaints about what was really a form of robust

debate and entirely typical of the sort of thing that takes place in almost any democratic body.

The day we look for consensus and conformity of view-point in Northern Ireland to the extent that we cannot robustly exchange and disagree with each other, is the day when we will have imprisoned ourselves in some entirely unacceptable form of politically correct language. We are now going down that road.

There is a discourse associated with this Agreement, a form of language which is designed to obscure its reality. The Agreement is simply about the appeasement of terrorism. That is all there is to it. One dimension of that is the decommissioning issue. It is entirely right that we focus on the decommissioning issue and on the release of terrorist arsenals. As a result of this Agreement, the good decent citizens of Northern Ireland are going to be governed by people who have been the architects of terror for the last 30 years, people who bombed, mutilated and maimed the people of Northern Ireland throughout that time.

At our last meeting, there was a Sinn Féin Member who expressed his sorrow and regret for what happened at Omagh. I take this opportunity to remind that Sinn Féin Member that the people who were trained in the making and planting of bombs, and the material that was used, came straight from the IRA. I have recently been scanning a number of standard histories of the IRA and books by a number of informers, and I know that we have within this Assembly people who are named, in those books, and people whose function and activities within the IRA are specified, and it does not seem to me that anyone reading those books could possibly take seriously any expression of remorse or regret that those people make for something like the atrocity of Omagh. We have got to get to grips with this. This Agreement is about the appeasement of terrorism.

Contrary to what he would have us believe, Mr Trimble signed up to an Agreement which specified how the issue of decommissioning and the surrender of these weapons was to be dealt with. The first paragraph in the decommissioning section says that

"Participants recall their agreement in the Procedural Motion adopted on 25 September 1997, 'that the resolution of the decommissioning issue is an indispensable part of the process of negotiation'."

So how was it resolved? It was resolved by

"All participants [reaffirming] their commitment to the total disarmament... [and confirming] their intention to...work constructively and in good faith with the Independent Commission, and to use any influence they may have, to achieve the decommissioning of all paramilitary arms within two years... in the context of the implementation of the overall settlement."

There were a number of points about how decommissioning was to be handled. However, the key

one is that any requirement to resolve the issue of decommissioning is, it is categorically stated, only a requirement. If there is any obligation in that section at all, it is only an obligation within the context of the implementation of the overall settlement. If something slows down or stops that implementation then the obligation to resolve the issue of decommissioning, as laid out in the Agreement, stops.

So how is it to be resolved? It is simply to be resolved by using whatever influence parties may have, the key point being that there is no specific reference in the Agreement to parties with associations to paramilitary organisations. All parties are treated as being on a par. That establishes the fiction which is central to the Sinn Féin/IRA position within the whole process that Sinn Féin is entirely separate from the IRA. What the First Minister (Designate) has conceded in this document is the substance of the Sinn Féin/IRA position that Sinn Féin is entirely separate from the IRA. He has also conceded that the decommissioning issue could be resolved by people, in some entirely ambiguous and unspecified way, using whatever influence they may have to bring about decommissioning within two years. Of course it is not a requirement that decommissioning should occur within two years.

**The Initial Presiding Officer:** Please bring your remarks to a close.

**Mr Roche:** I will wind up now but would wish to come back to this subject again. The focus on decommissioning has diverted attention away from the fundamental concessions to the very foundational principles of Irish Nationalism which are contained in the first part of the Agreement. I look forward to dealing with that at another opportunity.

**Mr Taylor:** I was delayed this morning. I was dealing with matters concerning the recent fishing tragedy in my constituency. The body of the captain has not yet been recovered.

If I may I would like to add my congratulations to the leader of the SDLP, Mr Hume, and to the leader of the UUP, the First Minister (Designate) Mr Trimble on the award of the Nobel Peace Prize. This was very well deserved in both cases. I have worked with both of them over many years in many different democratic institutions here, at Westminster and in Europe. It is not only a tribute to the time and energy that they have given to try to bring peace to Northern Ireland, but it is also international recognition for what we are all trying to achieve in this part of the United Kingdom and in this part of the island of Ireland.

I notice that one of the leading participants in the Assembly, Mr Martin McGuinness, is not present today. I read this morning that he had been playing football,

which seems somewhat courageous at his age. I noted with further interest that it was his left foot which was damaged. This did not come as a surprise to me. Nonetheless, the Ulster Unionist Party wishes him a quick recovery and hopes that we can once again, have his participation in the Assembly.

Members have received the report from the First Minister (Designate) and the Deputy First Minister (Designate) and I want to commend it to the House. It covers a wide range of subjects, many of which have already been commented upon in this debate. One of the most interesting for us all, irrespective of party, is economic progress and the provision of jobs. I commend what they, together with those who went out to support them, have been trying to achieve in the United States of America. It is good to hear, almost on a daily basis, that further American investment is taking place in Northern Ireland. We want to see this extended to other areas of the world such as South-East Asia and also Europe where there is, as I know from my past work in the European Parliament and now in Strasbourg on the Council of Europe, tremendous interest in what we are trying to achieve in Northern Ireland. They have great sympathy and support for what we are doing in the province.

4.15 pm

It was good to hear about the work that we are doing behind the scenes here — we have been meeting once or twice a week with the SDLP — and Dr Birnie mentioned the North/South co-operation. I am glad that Mr Mallon and Mr Trimble have invited other parties to give their ideas now on the type of co-operation that we want to see between Northern Ireland and the Republic of Ireland.

I heard some people complaining about and condemning the lack of progress on the North/South issue. Strangely enough, the criticism was mainly coming from people who have contributed nothing to the discussion on this matter. You cannot complain if you do not participate. I do welcome the invitation that has been extended to all parties to contribute to this ongoing discussion which we have been involved in on an almost daily basis here at Stormont.

I also welcome progress on the agreement over the number of different Departments to be created, the departmental structures, the Ministers, Junior Ministers and whatever. There again, other parties have to contribute to this debate, and there is plenty left for them to do. We want to see everyone contributing to this so that we reach decisions which most people can accept.

There is, of course, the issue of decommissioning. I did not understand the language that some people used at times. Those who spoke in Irish confused most

Members on the Opposition — if there is an Opposition, in this House. I am not sure yet where the Opposition is, whether it is to my right or opposite me. I come back to the census that we had in 1991. It confirmed — and I look at the people opposite — that only 10 per cent of the population of Northern Ireland understand of the Irish language. That means 10 people out of 108. No more than 10 people here understand Irish, and I saw people looking at the ceiling. The census also showed that only two or three per cent are actually fluent in the Irish language. Three per cent of 108 is three and I can see that Mrs de Brún is one of the three. I am not sure who the second and third ones are, but I come back to my thesis that tonight there will be more people talking Chinese to each other than speaking Gaelic in Northern Ireland.

On the issue of the language on decommissioning we have to be consistent. It has been, and is, an important issue for Ulster Unionists. You cannot run away from the Belfast Agreement. The Belfast Agreement — and I know this having been the chief negotiator for the Ulster Unionist Party at those talks — concentrated in detail on the decommissioning issue.

It was an issue that went on and on and on. People who were involved in the talks know that. Sinn Féin Members know it because they participated in the talks and put their names to the Agreement. That Agreement makes it quite clear that there can only be a shadow Executive once they affirm their commitment to non-violence and exclusively peaceful and democratic means and their opposition to any use or threat of force by others — page 9, paragraph 35.

Those in Sinn Féin who are inextricably linked with the IRA, if we accept the word of Mr Ahern, Mr Bruton, Mr Major, Mr Blair and others, have got to say that they are totally opposed to the use or threat of force.

**Mr McCartney:** Can the Member confirm that there is no reference in the Agreement to any organisation entering into those obligations other than a party?

**Mr Taylor:** The answer to that is that Sinn Féin is inextricably linked to the IRA, and the Member should not try to get it off the hook. It is inextricably linked to the IRA. There are some people, in the DUP in particular, who, like Sinn Féin, do not want decommissioning, and why not? Because they know that if there were decommissioning — *[Interruption]*.

I am making a distinction between Mr McCartney and the DUP — increasingly so, indeed, in recent days. The DUP do not want decommissioning, and Sinn Féin should take that on board. The one way to wreck the process is to ensure that there is no decommissioning,

that there is no shadow Executive, no Executive and no solution to Northern Ireland's problems.

**Mr Foster:** Does Mr Taylor agree that the only party in the Assembly that is pushing for decommissioning is the Ulster Unionist Party?

**Mr Taylor:** Mr Foster is absolutely right because he underlines my point: that should there be decommissioning the DUP would disappear for ever from Northern Ireland.

We want Sinn Féin to publicly reaffirm what they agreed to as participants in the Belfast Agreement: that they are totally opposed to the use of force or the threat of force. Once that is said openly, we are making progress. We could then move to the timing of the decommissioning, because paragraph 3 on page 20 states that — and I want every Sinn Féin supporter in Northern Ireland to re-read the decommissioning chapter which Mr Gerry Adams, Mr Martin McGuinness, who is now in Altnagelvin Hospital, and others signed their names to —

“All participants accordingly reaffirm their commitment to the total disarmament of all paramilitary organisations.”

Not, Mr Hume, general disarmament in Northern Ireland, but simply and solely the disarmament of all paramilitary organisations in Northern Ireland. Paragraph 2, of the decommissioning section states that there must be

“a workable basis for achieving the decommissioning of illegally-held firearms in the possession of paramilitary groups.”

We have a great opportunity in Northern Ireland for co-operation between Catholics and Protestants, Nationalists and Unionists, in building a new society, a new system of government within the United Kingdom and in the island of Ireland. Such co-operation will benefit us all, and I hope that no one will cherry-pick from the Agreement, but will read every chapter, including that relating to equality and language, and also that on decommissioning.

**Mr Byrne:** I welcome the report from the First Minister (Designate) and the Deputy First Minister (Designate). The first joint delegation to the United States by Mr Trimble and Mr Mallon was very welcome, and its symbolism is very powerful at this time. American investors want to come here, but they want to know that there is stability here — political stability in particular.

It is imperative that all these new political structures be put into place. Many Assembly Members have said that they are waiting for other things to happen. The public wants to see the shadow Executive set up. They want to see the North/South Ministerial Council at



work. They want progress on all parts of the Agreement.

It is very interesting that Mr Roche accuses me of being against progress on the decommissioning issue. Last week in a local paper, another Assembly Member, Mr Pat Doherty, accused me of pandering to Unionists. My article was fairly balanced, and I was looking for progress on the current impasse.

The people of the North of Ireland, the rest of Ireland and beyond want to see this new Agreement work. We have the endorsement of the people in the referendums North and South. We have international good will for what we are doing, as epitomised in the Nobel Peace Award to my party Leader, Mr Hume, and to Mr Trimble. That international goodwill surely should be a positive force for us to get on with making the new structures work.

A good thing about the joint trip to America, which also included representatives of the Industrial Development Board, was that it addressed the economic issues. Our constituents know about unemployment, and every district council in the North of Ireland is looking for inward investment and economic progress. That will only come if we have the necessary political stability.

The people of Northern Ireland have endorsed change; they want change; and they want us to reflect that change. They want us to get on with making the new structures work. Much time and effort was put into reaching the Good Friday Agreement and having the referendum and the Assembly election. We have all been elected as a result of the Agreement; the public want us to get on with it.

Change is never easy, but we should not be afraid of it, and the Leaders of the parties deserve our support in getting on with that process. I want to see progress made in breaking this logjam, and so do the people. The decommissioning issue should not stop everything. There is an onus on everybody to get over this impasse. I am convinced we can get around it, and the public wants us to get around it. Therefore, we must support those political Leaders who are signatories to the Agreement.

We have also had abundant goodwill from the European Union. I do not accept the idea that the Special Support Programme for Peace and Reconciliation was a token gesture. We are very thankful, in this part of the world, for the funds that we have got from Europe in the past. And we will all be looking for Structural Funds in the future.

What sort of signal do we want to send to our European partners — that we are ungrateful for what they have done for us? But more importantly, our fellow members of the European Union are positive and

constructive about what we have achieved and about what they want us to achieve in the future. They know the pain of conflict; they have had it in abundance in the past. There have been two world wars, but they have made progress since then.

**Mr McCartney:** Will the Member give way?

**Mr Byrne:** With respect, no. The public wants us to make progress on all these fronts. I have referred to it as incremental progress. Every one of us in every party has a duty to contribute to that incremental progress.

**Mr Berry:** I noted with interest that Mr Taylor wished Mr McGuinness “all the best” in his recovery. The next thing we will be seeing is Mr Taylor passing around a “Get Well” card! All I have to say about Mr Martin McGuinness’s leg is

“Vengeance is mine; I will repay, saith the Lord.”

I listened very attentively to both these statements. It is quite clear that the North American Investment Roadshow is just a roadshow — a roadshow to a united Ireland. We are talking about departmental structures, the British/Irish Council, the North/South Ministerial Council, the Civic Forum and the Brussels conference, but there is no sign of any statement about decommissioning. At the time of the referendum, Mr Trimble and his cohorts were going around telling us that nothing could move forward until decommissioning took place. We saw, quite clearly, at the UUP conference in Londonderry, exactly what is going on.

4.30 pm

Speaker after speaker from the pro- and anti-agreement camps of the Ulster Unionist Party repeated that Sinn Féin Ministers must not be allowed into the Northern Ireland Government until the Irish Republican Army had begun to hand in its stocks of Semtex and weapons.

Mr Reg Empey, the Ulster Unionist negotiator, said “We have done our bit; we are doing no more”. It is quite clear that Mr Trimble has fudged this whole issue. Who is Mr Trimble helping? Mr Trimble is helping to bail out the British Government. We were told time and time again that this so-called Good Friday Agreement — the Belfast Agreement to my mind — would bring peace, but it will not deliver peace. All we have to do is to think of the recent shootings, the recent punishment beatings, and so on. These men have the cheek to tell the people of Northern Ireland that there would be peace when this Agreement was signed.

There is no sign of peace, and there will be no peace until we deal with the real problem — Sinn Féin/IRA. This whole process was set up for them. That is clear from what a Sinn Féin representative said today “David,



if you do not implement the Agreement, then the two Governments will". Not a bit of wonder Gerry Adams, the Leader of Sinn Fein/IRA said "Well done, David". It is clear that David has been caught in the net by Sinn Fein/IRA, and he is letting the British Government off the hook.

If there were to be another referendum tomorrow it would clearly show that most of the people in Northern Ireland are against what is going on today. This agreement was set up to appease Sinn Fein/IRA. What did they get out of it? They got a Christmas box – prisoner releases, the scaling-down of security, a British/Irish Council, and the North/South Ministerial Council, and all of this was provided without decommissioning. And what did they give? They gave nothing.

What about the ordinary, decent people out in the streets of Northern Ireland who believed these men — these so-called educated men who told them that they would deliver peace, that decommissioning would start right away and that nothing would move on until decommissioning started? They have been deceived. Sinn Fein/IRA are quite clearly calling the tune, and they are calling the tune here in the Assembly.

It is disgraceful that we have such dead-head Unionists who are prepared to sell this province out to Sinn Fein/IRA and to the Nationalist community. I think especially of the statement Mr Trimble made at the Londonderry conference when he said that he would give the IRA time to start decommissioning arms beyond next Saturday's deadline. I am also reminded of what Mr Sam Foster, the Member for Fermanagh and South Tyrone said earlier, that the UUP was the only one that was trying for decommissioning. The UUP is doing U-turns; they are appeasing Sinn Fein/IRA, and they are surrendering time and time again. What are the headlines? "Trimble will extend the weapons deadline". What did he tell us at the time of the referendum? He said that nothing could move and no progress could be made until decommissioning took place.

I do not know where Mr Sam Foster has been, but it is clear that he must have been sleeping. But when you get to a certain age things do happen — your hearing goes, and you start nodding off.

Mr Trimble along with his co-called dead-head Unionists have surrendered to the republican movement and Sinn Fein/IRA, and there will never be any decommissioning. The DUP wants decommissioning. I consider it an insult for John Taylor, the Deputy Leader of the UUP, to say that it does not. I want decommissioning; I want peace, but I do not want peace at any price. The only way there will be peace in Northern Ireland is for there to be no surrender to Sinn Fein/IRA.

The only way to have peace in Northern Ireland is for the Government to deal firmly with terrorism, and the only way to deal firmly with terrorism is the way you deal firmly with a weed — you take it out. I am calling for our Government especially to deal firmly with terrorism because the people of Northern Ireland are sick to the teeth of being deceived time and time again by so-called leaders, so-called Unionists and so-called Assembly Members.

The only way that we are going to have peace is if the Government move in and decommission Sinn Fein/IRA — that is the only way we are going to have peace. It is quite clear to those living in the Newry and Armagh area Sinn Fein clearly does not want peace. Intimidation after intimidation after intimidation is going on in my area — that is no sign of peace. Tell the people on the border areas, tell the people that are being beaten up, tell the people who are suffering punishment beatings that there is peace — that is an insult!

As for Drumcree, yes, we want peace and we want to get down the Garvaghy Road in a peaceful and dignified manner. I am not responding to Sinn Fein/IRA. It is cheap for Sinn Fein Members to talk about blast bombs when they have been blowing the ordinary, decent people out of their homes and out of their properties for years. I have said it before and I will say it again that we condemn what happened at Drumcree and at Corcrair with the murder of Const O'Reilly. We totally condemn that. Nothing can justify what happened, but it is cheap for Sinn Fein/IRA Members to shout about blast bombs when year after year they sent men to attack Mr McCrea's home with an AK47. It is cheap for them to shout about that.

The only way that we can decommission the arms is for the Government to deal firmly with Sinn Fein/IRA. Let us have another Loughgall where the SAS moved in and wiped out a full terrorist organisation in the Tyrone area. The only way that we are going to have peace is for the Government to move in and decommission these men. The DUP wants decommissioning to take place and if Mr Trimble [*Interruption*]

**The Initial Presiding Officer:** May I just draw your attention to the fact that we have qualified privilege in this Chamber and it behoves all of us to be a little careful about what we say on these matters.

**Mr Berry:** I did not say anything out of hand. Year after year and day after day the news has told us what Sinn Fein/IRA has actually done, and I make no apologies for saying what I have said. It is time for the Government to deal firmly with Sinn Fein/IRA, to give us a few more Loughgalls and wipe these men off the board. That is the only way.

**Mr Maskey:** On a point of order, Mr Initial Presiding Officer. One of the victims of the Loughgall

ambush was not involved in any element of the troubles. He would be described by people like Mr Berry himself as an innocent victim. Mr Berry is calling for Loughgalls regardless of whether people view the SAS ambush as legitimate or otherwise. One person who was not involved on either side of the conflict was shot dead on that night. So does he still welcome that same attack?

**The Initial Presiding Officer:** I assume that in calling for that point of order you were underlining my own caution in respect of what we say. I would advise considerable caution so that Members do not get over-excited in their speech, and find their words running ahead of what it is advisable to claim or call for.

**Mr Berry:** Once again, I do not apologise for what I said. It is a fact that happened years ago.

**The Initial Presiding Officer:** I need to draw your attention to the fact that there were things which you called for — not which you referred to, but which you called for — which I consider should be handled with caution.

**Mr Berry:** I call on Mr Trimble to stop fudging the issue and give the law-abiding, decent citizens on the streets of Northern Ireland what they deserve: I call on him to demand decommissioning from Sinn Féin/IRA and all the other so-called paramilitaries.

**Mr P Doherty:** I would like to join Mr Taylor in extending best wishes on a speedy recovery to Martin McGuinness.

Earlier, when we were debating other issues, and when my colleague, Mr Molloy, was speaking, the First Minister (Designate) got rather annoyed. He got heated and flustered. He pointed his pen and said "Obligations, obligations". He did not elaborate — but I intend to.

Later, Mr Beggs spoke about the likely outcome of a survey of those who spoke English. If such a survey, with a slight amendment, were carried out within the UUP to find out who understands the English language, and particularly the language used in the Good Friday Agreement, the First Minister (Designate) would understand his obligations.

I see that he has left the Chamber. He is afraid that I may point out his obligations. They are to implement the Good Friday Agreement. He has to do that not only to satisfy the will of the people of the Six Counties, but also the will of the people of the whole of Ireland who voted in a referendum to have the Good Friday Agreement implemented. It is the will of the people that that be done, and if members of the UUP read the Agreement they will see that decommissioning is not

tied to the Executive or to the setting up of North/South Ministerial Council. There is no precondition.

We entered negotiations in September 1997 on issues that concerned all the parties. Some parties opted out, as is their democratic right. Some parties, the UUP in particular, stayed in and negotiated. They fought their corner, and strung it out for six months, but they eventually agreed to the Good Friday document, which contains sections on the setting up of an Executive, and the establishment of the North/South Ministerial Council by 31 October. There is also a section on decommissioning — but that is not a precondition. All participants were to use any influence that they might have for the implementation of the overall settlement.

**Mr Taylor:** The Member mentions the Executive, but I think that he is talking about the Shadow Executive. It states that there has to be a Shadow Executive by 31 October. From which page in the Agreement is he reading?

**Mr Doherty:** Page 20 covers decommissioning, and Page 12 covers the Executive. There is no precondition in the decommissioning section. The date of 31 October is under the section on the North/South Ministerial Council.

Although Mr Taylor may read English, he may not understand it. Mr Taylor and the First Minister (Designate) do not understand their obligations. There is an obligation on the First Minister (Designate), which he has a few days left to fulfil. He may yet fulfil that commitment by finding the courage to do what he is obliged to do by the Good Friday document. He has been entirely selective in his approach to decommissioning. He has never mentioned any weapons, other than the weapons of the IRA, in any of the interviews that I have seen. He has never mentioned those of the British Army, the RUC or the so-called licensed weapons. He even opposed the Dunblane legislation being applied to the six counties. Could he explain that?

The First Minister (Designate): I draw the Member's attention to Mr Taylor's contribution, which showed that the decommissioning section is quite clear. It involves a commitment to the disarmament of paramilitary organisations, and refers to illegally held weapons. The comments about the army and police are wholly inappropriate. The Member should read what he signed up to.

4.45 pm

**Mr P Doherty:** I can read, and I can have my own interpretation of what is paramilitary and what is not. I understand the context in which the First Minister (Designate) views the RUC and the British Army, but he did not answer the question I posed about the

Dunblane legislation. Why did he oppose that legislation being brought into the Six Counties? It was because he is focused, selectively, on one section of the community.

There is a clear obligation on the First Minister (Designate) to implement the Good Friday Agreement. Mr Mallon's report states that decommissioning cannot be forced yet Mr Trimble seems to be trying to do that very thing — and he is doing it out of context because he is not implementing the rest of the Agreement and is pursuing a narrow Unionist agenda.

**The First Minister (Designate):** In replying to the debate, I shall try to touch on some of the points that have been made. I apologise to any Member who is omitted from my comments, but I propose to choose some particular ones.

Mr Berry made a rather amusing speech in which he referred to my colleague, Mr Foster, who heard the speech in question. Mr Berry did not read it and did not hear it and his comments on it were wholly inaccurate. I recommend that he read it, after which perhaps he will realise that he has made a fool of himself.

Some Members spoke of their desire to see the statement earlier. We were conscious of precedents, and by making the statement available the moment we sat down, we were keeping substantially within established practice in other places. The break for lunch gave everyone the opportunity to study it. Therefore, there is no substance in those comments.

Mr Farren spoke about the Industrial Development Board, and referred to differentials on corporation tax. It is true that some people in the United States referred to that, but when we badgered the Industrial Development Board about it, we discovered an excellent answer which the Industrial Development Board has not bothered to use. At first sight, 10% corporation tax seems attractive, but people do not realise that pre-set-up expenditure is tax deductible for companies in Northern Ireland and the United Kingdom generally, but not tax deductible for companies in the Republic of Ireland. The grants that are available in Northern Ireland are tax-free whereas the Republic of Ireland's grants are taxable.

Furthermore, capital expenditure is also deductible. The consequence of those deductions is that companies setting-up, depending on the amount that they invest and the expenditure that they incur, do not pay any corporation tax for several years. A nil rate of tax over the first few years of company operation is a significant advantage, and the Republic of Ireland's 10% rate applies only to profits that are retained and reinvested. That shows that the alleged benefits are not as great as they seem. The Industrial Development Board should

have been making the position clearer on a matter that people have been referring to year after year.

I think that Ms Morrice spoke about consultation starting tonight. Perhaps I should make matters a little clearer.

Tonight a letter will be issued to the other parties inviting them to send representatives to a meeting on Thursday when the consultations will take place. Mr Neeson referred to bilaterals, but the invitation will be to a round table - meeting which, all parties will attend. There may well be some matters which would be better pursued in bilateral and some collectively — we will judge that as best we can in the circumstances — but we are starting with a general meeting, rather than proceeding by way of bilaterals.

Having picked Mr Neeson up on that point, at least I should credit him for quoting the Agreement accurately — quite the opposite to the comments we have just had from Mr Doherty. The 31 October date in the Agreement refers only to identifying and agreeing areas where co-operation and implementation for mutual benefit will take place. This identification and agreement happens within the transitional period, and nowhere in the Agreement are the transitional arrangements precisely described.

The transitional arrangements are somewhat flexible. I notice that Mr Kelly also made that mistake. He quoted at some length from paragraph 16 and the succeeding paragraphs on Strand 1 which relate to the operation of the Assembly after the transfer of functions, but they are not relevant to the transitional arrangements. A number of Members have been making the mistake of reading paragraphs as applying to a transitional period which, in fact, they do not. That has been the cause of some of the confusion among Sinn Féin Members.

I found Mr Kelly's comments interesting. While he and other Sinn Féin Members were criticising us for allegedly not doing things, Mrs de Brún criticised us for doing things. She complained about the fact that the SDLP and the UUP had set up a working group and had sought assessments and other things. She asked who was directing this.

The answer is quite simple — I am, along with the Deputy First Minister (Designate). We are carrying out the task charged to us by the Assembly of putting ourselves in the position where we can bring forward proposals — we are working on this. It is quite unrealistic to expect us to do all the work ourselves, and that is why we have asked some colleagues to assist. And that is why we have sent matters off for technical assessments to other Government Departments.



**Mr J Kelly:** Does the First Minister (Designate) accept that he is reciting from section (d) of the pledge of office, which is

“to participate with colleagues in the preparation of a programme for government”.

**The First Minister (Designate):** We are not, and that is something that we will turn our mind to as soon as is practicable. It is unrealistic to expect everything to begin and to happen immediately and simultaneously. People should bear that in mind. During the transitional period we will be engaged in quite a complex process, and we will be trying to do in six to eight months what Wales and Scotland are taking several years to do. Mr Ford's comments on this point were quite inappropriate. He said that four months was enough time to do all these things. That is an unrealistic comment. We are engaged in this matter and are studying it; we have not yet got to a programme of government, but I think we have done very well to have got as far as we have on the matters to which we have given priority. I would also like to draw attention to what the Deputy First Minister (Designate) said: that, following the bilaterals that we had in September, only one other party gave a written submission with regard to North/South matters.

With regard to departmental structures it was several weeks before written submissions came in from other parties, and most of the people we met in those consultations said that they would follow up their oral comments with detailed papers. We waited weeks for those papers. After receiving and looking at them, we sent them off for technical assessment to Government Departments. As those assessments are returned we can and will advance the matter. Anyone who doubts the amount of work involved in this can go to the Library and look at the paper on North/South matters that has been lodged there.

The working party has been looking at those matters. A number of areas were identified and proposals were put forward by ourselves and the SDLP. These were all then sent for technical assessments, which have just been received and are in the library. I hope that those coming to Thursday's meetings will consider them because we would like to see the discussions focussing on some issues.

I mentioned two of them in my opening remarks, namely the matters which should be within a department of First Minister and Deputy First Minister. There is also the question of Junior Ministers, and I know that this was a matter of some controversy during the last consultation period. But there is now a provision in the Bill requiring us to consider whether we implement this, and, if so, how. So I would like to see some focus put on that.

I would also like to see Members focusing on the proposed areas for co-operation on the North/South axis, and the technical paper in the Library will be of help in this.

I hope that we will also soon be able to have a meeting collectively with representatives of the Irish Government and the Northern Ireland Office. They have been consulted and there has been contact at official level.

Furthermore, I would not abandon hope that we will meet the target set out in Strand 2, paragraph 8 of the Agreement; that of identifying and agreeing areas for co-operation by the 31 October. It is possible for us to meet this target because we are not far away from it in some areas. If we could meet it in substance, then whether or not there has been an inaugural meeting of the North/South Ministerial Council would be another matter.

**Mr C Wilson:** Does the First Minister agree, as I believe many of his Back-Benchers and his party's rank and file do, that any party inextricably linked to a paramilitary organisation which is retaining arms cannot give a total and absolute commitment to an exclusively democratic means of resolving political differences, nor could it oppose the use or threat of force by others for such purpose?

There should be Unionist unity on this matter. This is surely a position that the First Minister (Designate) can endorse. It is mentioned on the first page of the Belfast Agreement at paragraph 4 under “Declaration of Support”. Would Mr Trimble confirm that it is his understanding that Sinn Féin/IRA and those others representing and fronting paramilitary organisations cannot meet that criteria and that they cannot give that commitment without formally winding up their operations?

**The First Minister (Designate):** It is rather ironic that Mr Cedric Wilson has clearly not read what I said on Saturday. Had he done so he would have known that I quoted from exactly the same passage as he has just done and to the same effect as himself.

**Mr C Wilson:** Is the First Minister (Designate) confirming that he agrees with my statement?

**The First Minister (Designate):** When the Member looks at what I said on Saturday, he will find that I had already said it then. Consequently would the Member agree that it is a desperate shame for his Leader to say “I share the view of Sinn Féin”, which is what he did with regard to this specific matter?

**Mr C Wilson:** Will the First Minister (Designate) give way?

**The First Minister (Designate):** No, the Member has had his intervention.



**Mr McLaughlin:** No matter about the degree of agreement on the Unionist Benches, surely this is a matter to be decided by the Assembly, not by the Unionist Members.

**The First Minister (Designate):** I am not quite sure that I understand the Member's point of order.

**Mr McLaughlin:** The First Minister (Designate) was being invited to offer an opinion as to the suitability or eligibility of any party to the Executive. That is a matter to be decided by the Assembly, not by the First Minister (Designate) or by the Unionist Members of the Assembly.

**The Initial Presiding Officer:** No, but technically it would be correct to say that the First Minister (Designate) and the Deputy First Minister (Designate) have to make the proposals which then have to be ratified by the Assembly. I would assume from that that both the First Minister (Designate) and the Deputy First Minister (Designate) would have to be content with their own proposals.

5.00 pm

**The First Minister (Designate):** Mr Initial Presiding Officer, I was near the end of my comments, but perhaps it was appropriate that it was Mr McLaughlin who rose on that point of order. I was as confused as you as to what on earth he was getting at. Earlier he said that after six months there is no excuse for further delay. Nor is there any excuse for his organisation's delay in fulfilling its obligations. Under the Agreement it is committed to achieving the total disarmament of paramilitary organisations. It has accepted an obligation to disarm the Republican movement. That is his obligation. He may smile, but that is his obligation which he has failed to deliver so far. There is no excuse for the delay. That should have started some time ago.

We will continue to carry out our obligations, as we have done. However, I have to repeat what I said on Saturday. While Mr McLaughlin fails to discharge his obligations then, in accordance with paragraph 25 of Strand 1 of the Agreement, he is not entitled to office. He should read that paragraph of the Agreement too. That is important. We want to encourage him to carry out his obligations, but he cannot complain if, on failing to carry out his obligations, the consequences prescribed in the Agreement should follow.

This is a digression. We look forward to consultation on Thursday and hope that we make further progress particularly on North/South matters. We further hope that the constitution unit in the Cabinet Office makes progress with regards to the British/Irish Council. The meetings of the two will have to be the same, and we do not want one to hold back the other. They will be in

position, I am sure, as the Agreement states in paragraph 7 of Strand 2

"as soon as practicably possible".

We will be able to have meetings of both bodies so that two more elements of the Agreement will be in place.

I hope that there will be progress towards the transfer of functions as soon as possible and that we shall be able to do what we had all hoped to do, namely to implement the Agreement by seeing power transferred to the Assembly.

**The Deputy First Minister (Designate):** I will refer to some of the points that have been made. I will not be able to cover all of them.

Mr Empey made a very valid point about the role of politicians with regard to inward investment. One of the benefits of the roadshow was that it gave us an opportunity to look at that and to make some assessment of it. It is a very potent role, and one that could be of great use in the future.

Mr Farren emphasised the danger of delay. I agree totally. Inertia is the most fundamental threat to any political process. Thus I believe it is absolutely essential that, this week, we proceed in a serious way with consultations and that we do not allow inertia to happen.

**Mr P Robinson:** May I have Mr Mallon's interpretation on the section that deals with reaching agreement by 31 October? The First Minister (Designate) is correct in indicating that the purpose of that deadline is to identify and agree areas of co-operation for implementation. However, it also says that these will be agreed by the representatives of the transitional administration. Therefore, I assume that the representatives of the transitional administration must be in place before 31 October.

Therefore, does the Deputy First Minister (Designate) see himself and the First Minister (Designate) as being the representatives of the transitional administration under the terms of the Agreement?

**The Deputy First Minister (Designate):**

Mr Robinson knows full well what my answer to that question is. He knew the answer to that question before he asked it. I have very strong views on the issue and I expressed them in a very firm way two or three weeks ago.

One of the most interesting aspects of this debate is that we are seeing the beginning of the playing out of the fact that just because we are trying to co-operate as different political parties, it does not mean that we are any less Unionist or any less Nationalist, nor does it

mean that we do not have our own firm views about things. It would be impossible for us to cease to be political so that we could work the political process. That, to me, is the most interesting part of it.

We are trying to come to terms with that reality but we will never do that if we take a legal, quasi-legal or technical interpretation of the Agreement or the legislation. Each of us could argue, very validly and logically, from many points of view, about that question and many other questions in the Agreement, and that has already happened in relation to decommissioning.

The other interesting theme is that it is almost as if the problem of decommissioning is an inter-Unionist problem, given the way in which it has been played out in the Assembly today, but, of course, it is not. It is not a Unionist versus Nationalist argument; it is not a Unionist versus Republican argument — the vast majority of Nationalists on the island of Ireland want decommissioning. That view has been stated by Fianna Fail, through the Taoiseach, Mr Ahern, by Fine Gael, by the Irish Labour Party, by the Progressive Democrats, by the SDLP, and all through their Leaders.

It is worth posing one question to avoid the inter-party element on this. I can see how difficult it would be to make a response in terms of decommissioning because it is demanded by Unionism. Set Unionism aside for a moment — and I do not mean that in a disparaging way. Do it for the Irish people, in the name of the Irish people who have asked for it and who want it as dearly as anyone sitting on the Unionist Benches.

Mr McLaughlin asked when we can expect a full report. In my view, very quickly. It is possible to come to a conclusion about the number of Departments and their functions after one day of solid work. There may not be the number or the functions that every party would like, but a call has to be made on it sometime. One day could clear that up. We could make decisions, very quickly, about the implementation bodies and the bodies for enhanced co-operation. That could be done by the end of this week as well. It might not bring about what everybody would like, but decisions could be taken.

While the First Minister (Designate) and I took some criticism, some of it valid, some perhaps not — we are not always perfect — we have not allowed ourselves to make decisions under the Agreement that we could have made, to the detriment of other parties.

Part of the reason that we do not have as full a report as, perhaps, Members would have liked, and that it was not presented as quickly as it might have been, is that we have been assiduous — between ourselves and with ourselves — in ensuring that this be done in the most democratic way. The irony is that in trying to be as

democratic as possible, it looks as if an undemocratic issue, decommissioning, is preventing the speed and authority that there might otherwise have been.

**Mr Maskey:** The Deputy First Minister (Designate) is correct in saying that Sinn Féin has acknowledged that some work has been done, but does he not agree that a lie is given to that when it has taken up to two days before the deadline of 31 October for us to have the second all-party meeting of the Assembly? I do not think that this is being taken seriously.

**The Deputy First Minister (Designate):** I could turn the question if I wanted to be a “Smart Alec”. I could say to Mr Maskey “You tell us when the final report will come out. You tell us when it will be done”. I have stated, on behalf of the First Minister (Designate) and myself, that we could draw up the departmental structures and the implementation bodies in the areas for enhanced co-operation very quickly — that could be done. The question is this: how soon can that report be implemented? I know those in the Chamber who are not preventing it from being implemented and I know what issues are preventing it. I could well, with some validity, say “You tell me when it might be implemented.”

I will proceed to a point already made by the First Minister (Designate) in relation to the questions asked by Mr Neeson. It is not confined to bilaterals — but that point has been well made.

I regret that Mr McCartney is not present. I would like to have had some further information on the struggle of memory, on the matter of forgetting, by Milan Kundera. I would have thought that in a divided society to try to retain memory as the primary source of inspiration was not the most productive way of proceeding. Yes, there are things which we never forget, but to base our political philosophies, our political way of life, and our political drive on that which we want to retain in memory, rather than look to the future, is not something that is a very inspiring type of philosophy. That is, apart from being full of porridge oats, a nice piece of imagery. But how full of porridge oats was the verbal submission made by the United Kingdom Unionist Party, or its paper on the Government Departments, the North/South Council of Ministers, the British/Irish Council or the Civic Forum? Could I recommend some porridge oats. Get them on the paper. At least then we would be able to assess them.

The points raised by Ms Morrice are valid — rightly she would have preferred to have had the statements in advance. As far as possible we will try to ensure a little more time in future. There was a logistical problem, and we accept responsibility for that. I hope that we will have the full report next time and that we will be able to issue it as quickly as possible. Ms Morrice is correct in terms of the development of local industries.

**Mr J Kelly:** Will the Member give way?

**The Deputy First Minister (Designate):** I will give way if the intervention is on the point being made, but not if we are going to hop on a guided tour through the Agreement again.

**Mr J Kelly:** Does the Deputy First Minister (Designate) agree that nowhere in the Agreement is there a stipulation that decommissioning is a pre-condition to setting up the Executive?

5.15 pm

**The Deputy First Minister (Designate):** For the umpteenth time I will say it; there is no such stipulation in the Agreement. I cannot find any and if you find it, let me know and I will put a big signpost out. That is my public position and I do not have any problems stating it here as I do elsewhere. I have discussed this fully with the First Minister (Designate) and he knows my position on it.

If the claque at the back is finished we might get back now to the matter in hand.

I note the comment about local industries and I absolutely agree that in searching for inward investment we should not lose sight of the fact that our economy will actually rest on the strength of our indigenous, local industries, and we should encourage them.

I am tempted to finish on a poetic note. Dr Birnie made reference to Robert Frost and said

“good fences make good neighbours”.

I would have to take him to task on that because in reality Robert Frost was challenging the thesis that good fences make good neighbours. Assemblyman Poots confirmed that when he quoted the subsequent line

“something there is, that does not love a wall”.

I believe that this is crucial to what we are doing here, not just in North/South terms, though it is important there too, but among ourselves, and in the sense that if we do not break down the walls mentally in terms of our political positions, our ideologies and our intolerance — and we are all intolerant — we are not going to be able to work together successfully.

I was very taken with the point made by Mr K Robinson that working together involves the accommodation of difference. That does not mean the subsuming of differences in somebody else’s political philosophy. It is the working together despite the differences that is crucial, and that is the only approach which can sustain us as we go through what is going to be a very difficult period. This is a difficult period now, but it will be overcome, and I hope we do it ourselves,

without the help of others. Then there will be the next crisis and then there will be the one after that.

What we can do is to carry out our mandate: decide on Departments, decide on the implementation bodies, decide on the areas for enhanced co-operation, decide on our forum, and decide on the British/Irish Council. If we bring forward our proposals, we can say at any given time that we have done what we were charged to do so that when we are in a position to go ahead, we can do so immediately. That surely is the benefit of our discussion today.

I commend the report from the First Minister (Designate) and myself to the House, and I make the very substantial pledge that if we all sit down and use our collective talents, we can get that body of work together very quickly, effectively, and efficiently and have it ready. Then we can move to the next crisis and solve it and then into the crisis after that and solve it. I have always predicted that the first five years of the Assembly will be a matter of rolling negotiations and rolling crisis management. That is what we have to do, and the sooner we start to do it, the sooner we finish it.

**The Initial Presiding Officer:** Twenty-two Members have submitted applications to speak on the Adjournment. As agreed by the Committee to advise the Initial Presiding Officer, and as indicated to Members in All-Party Notices, Ministers and party Leaders are excluded from the selection process, as are all Members who have already made a substantive contribution to debate in the Assembly Chamber. On this agreed basis 11 exclusions were made. Eleven Members therefore remained, six being chosen to contribute today with the widest possible range of parties being represented after the exclusions to which I have referred were made.

Motion made:

That the Assembly do now adjourn. — [The Initial Presiding Officer]

## HILL-TOP OBSERVATION POSTS (SOUTH ARMAGH)

**Mr McNamee:** Go raibh maith agat a Cheann Chomhailre Sealadaigh agus a Bhaill den Tionól. I want to speak about demilitarisation — or the lack of it — throughout the North, and the problems that are caused by military installations and British Army activity. Military installations are not, of course, the only manifestation of a military presence. Other aspects of the issue are the 134,000 licensed firearms in the North and a heavily-armed RUC. It is a police force in name, but it is armed with automatic assault rifles, rubber



bullet guns and armoured vehicles. Additionally, a wide range of emergency powers are still in place and are still used.

Each of those aspects of militarisation will have to be dealt with in the context of the implementation of the Good Friday Agreement. That is, of course, if the two Governments and all the parties intend to implement that Agreement in its entirety. However, the most visible and intrusive aspect of the militarisation of the North is the presence of military installations, especially in border areas. Fortifications, the concentration of helicopter activity, and the associated British Army patrols cause concern and grievance to many citizens in the North, including those who live in blocks of flats.

**Mr Hussey:** Does the Member accept that some places in my area are affected and that consideration could be given to turning them into tourist attractions?

**Mr McNamee:** I am aware of a gentleman who believes that there may be some merit in maintaining installations as a historical record, not because of their attraction, but to preserve the heritage of the time. I disagree with his view, and I shall explain why.

The presence of British soldiers, their installations and their helicopters are a source of daily annoyance. People expected to see a change in their lives with the endorsement of the Good Friday Agreement, but many have seen no change whatever in terms of the militarisation of their towns, villages and countryside. In some border areas, people have perceived an increase in British Army activity over the past 12 months, and especially in the past three or four months.

In Derry, fortifications remain at the Letterkenny Road, the Culmore Road and at Killea. I drove through Rosslea in County Fermanagh to Bundoran the week before last. Rosslea is a small country village, and within 500 metres of its centre, there are three military checkpoints with towers that dominate the village.

A journalist described them as ugly, khaki, concrete and steel structures. I tried to imagine what it would be like for tourists or visitors from Bundoran coming through Belleek. The first thing they see is one of these installations, which appear to be unoccupied. There is no sign of life, only steel structures, ramps, steel barriers, cameras and pill boxes. I concluded that the visitors would probably turn back and stay in Bundoran.

I was informed recently that there has been significant activity in the Sixmilecross and Dromore areas of County Tyrone in the last 10 days. In particular, two Sinn Féin Councillors received marked attention when, during the night, low-flying helicopters passed over their homes several times.

People in these areas, and especially those in the Clogherny, Altamuskin, Moy and Pomeroy areas of Tyrone feel that the Good Friday agreement is being ignored. However, the area which has the greatest concentration of these installations located on hilltops and mountaintops is South Armagh, which is part of the constituency which I represent.

I want to tell the Members who may not have first-hand knowledge of that part of the country what it is like and what impact these installations have on people's daily lives. Is áit álainn í Deisceart Ard Mhacha.

South Armagh is a beautiful area. South Armagh is an area of drumlins and mountains and it been designated an area of outstanding natural

beauty by the Department of the Environment. The distance from Newry to Cullaville is about 18 miles. Within that 18 miles there is a proliferation of hilltop spy-posts and military bases on the mountains of Cloghoge, Camlough, Lislea and Forkhill, on the hilltops of Drummuckawall, Glassdrumman and others. That is in addition to three major military bases in the villages of Bessbrook, Forkhill and Crossmaglen.

Indeed in that small region there are 33 installations. These are ugly structures of concrete and steel, perched on the most prominent places on the tops of hills and mountains in otherwise beautiful countryside. They are visually intrusive and intimidating.

Local councillors face serious difficulty when representing people applying for planning permission to erect dwellings in these areas. Severe restrictions are imposed. Even those who have been brought up on farms in the area cannot obtain planning permission to erect a dwelling on their own property.

These spy-posts have been erected without any consideration being given to the impact on the countryside and without taking on board the views of landowners, residents or public representatives. It is not only the visual impact of their physical presence but it is their associated equipment. All these installations have a range of high-powered cameras, infra-red equipment and listening equipment. Residents justifiably feel that they are being watched and listened to in their own homes day and night. Indeed, that is the purpose of these posts — to spy on people.

**Mr Weir:** Will the Member acknowledge that had it not been for the activities of his cohorts in the IRA that none of these installations would have been necessary in the first place?

**Mr McNamee:** That is a political argument for why these installations are there. We are dealing with the present situation, the implementation of the



Agreement and the quality of life of people in a particular part of the North of Ireland.

It is very well for Members who live in places like Bangor, Portstewart, Portrush or even Banbridge. They do not understand what it is like to live in an area of such intense military activity in the presence of these installations.

For the people of South Armagh, Big Brother is not a fantasy from a science-fiction novel. It is a daily reality. Baineann an ábhar seo le cúrsaí sláinte chomh maith, de thairbhe go mbíonn tionchar ag na rudaí seo ar na daoine siúd atá ina gcónaí in aice leo.

On the issue of health there is a concern about the concentration of these installations, the equipment associated with them and the levels of electromagnetic radiation emitting from them. It may not have been established with any scientific certainty that there is a risk to health from these emissions, but neither has it been ascertained that there is no risk to people's health.

It is a similar case to that of the erection of telecommunication masts for mobile phones. It has not been established with any certainty that there is a risk to people's health, but neither has it been established that there is no risk.

Some mobile phone companies have a policy of prudent avoidance, and they agree not to erect a telecommunications mast within 500 metres of schools, hospitals or private dwellings. However, the installations I am referring to are, in some cases, only a few feet from people's homes, and, whether the risk is real or perceived, they remain a source of anxiety and concern for the people who live in close proximity to the equipment.

5.30 pm

**The Initial Presiding Officer:** Can you bring your remarks to a close please.

**Mr McNamee:** I seem to have run out of time, clearly through the good manners of giving way, but I will try to finish as soon as I can.

There is a range of associated matters which I have not even touched on — for example, helicopter activity and the difficulties for farmers in these areas raising livestock. Under the terms of the Good Friday Agreement there should be a normalisation of security arrangements and practices for the development of a peaceful environment.

The British Government have a responsibility to publish an overall strategy dealing with the reduction in numbers of members of the armed forces and the removal of security installations and emergency powers. I think the Assembly should influence the Secretary of State to publish such a report, which should concentrate

on those areas most affected, areas like South Armagh. Go raibh maith agaibh.

**The Initial Presiding Officer:** I want to make a point of order, and then I will call Mr Wells.

Mr McNamee quite rightly pointed out that when interventions are taken they, in effect, come out of the time of the Member who is making the speech. That is distinct from points of order, which are not taken out of the Member's time. The reason is that the Member may refuse to take an intervention — albeit, as was indicated, that that is sometimes perceived to be discourteous — but not a point of order. I have to take points of order, and so that is not taken out of the time of the Member who is making a speech. As we are all learning, there is no harm in pointing these things out. I am grateful to you, Mr McNamee.

**Mr Hussey:** When Mr McNamee was speaking I had difficulty hearing him, but I quite clearly heard the intervention from this side. Could our technical people keep an eye on the sound equipment?

**The Initial Presiding Officer:** I am grateful to you, Mr Hussey, for that advice. We are feeding back any information of that kind to our technical people as best we can.

## MISUSE OF FIREWORKS

**Mr Wells:** All that I can guarantee this evening is that there will be some fireworks in my speech. It cheered up what was promising to be a rather drab holiday in Spain last week when one of the party staff rang to tell me that I had been successful in the ballot.

I had found a secluded little beach on the north shore of Majorca, but what was ruining my holiday was that the first group of German tourists I encountered was led by a guide who bore an uncanny resemblance to Mr David Ervine. Even worse was to follow: the next group had someone in it who was the spitting image of Mr Alban Maginness. This was not a pretty sight, and it almost ruined my holiday. But at least the phone call from the party official to tell me that I had been successful cheered me up no end.

It is 16 years since I stood in the old Assembly to raise the subject of the plight of retained firemen in my constituency of South Down. It is a pleasure to be back all these years later to raise a similar issue: the misuse of fireworks in Northern Ireland. The life of hundreds of people, the unemployed, the disabled, pensioners, pet owners and shift-workers is being made a misery by the misuse of fireworks.

I will just give you a few examples of the misuse that I have encountered in my constituency and elsewhere. It is not unusual for thugs, as young as nine, to pop bangers through the letter boxes of pensioners. In an incident in Dungannon two weeks ago, youths tied fireworks to a cat, which died an agonising death in the ensuing explosion. In Ballynahinch, the trick is to put bangers into metal dustbins or oil tanks. These explode creating fear and anxiety for people who believe that a bomb has gone off and rekindle many of their old memories of when bombs did go off in that town.

Another so-called trick of the trade is to put a banger into a milk bottle and put it in a pensioner's garden, so that, when it explodes, the glass will fly everywhere, terrorising all around. All of this is totally needless. To make matters worse, hundreds, if not thousands, of police man-hours are wasted following up complaints about fireworks.

**Mr Campbell:** Before Halloween next year, we should ask the RUC to ensure that the imported fireworks that are currently being sold illegally at street markets are tracked down, and that the importers and distributors of such fireworks are apprehended and brought before the courts.

**Mr Wells:** I entirely agree with the Member's comments, although my proposal is more radical. We should return to the situation that we had in this province for a quarter of a century, and reinstate the ban on the use of fireworks. That ban was very successful in bringing the problem under control.

For most of my life, the use of fireworks was banned, but I do not feel deprived because of that. I spoke to my children, the oldest of whom is 13, about this issue last week, and they said they had never handled a firework, or seen a banger or firework other than at an organised display. They do not feel that their lives are any poorer because of it.

Suddenly, following the ceasefire in 1994, the Government decided, although there was no public pressure, to abolish the ban on fireworks. I am not a killjoy, because, even when the ban was in place people could apply for licences and organise public displays. District councils and charities such as the National Trust ran public firework displays, so that those who enjoyed fireworks could see them in safety.

**Mr Shannon:** Does the Member not accept that, if fireworks are used correctly and under supervision, there is no problem? In many cases, it is more suitable for children to have a fireworks display in their back garden under the supervision of parents and responsible adults. I would not agree with the Member's proposal.

**Mr Wells:** The old legislation still allowed the individual who wanted to have a firework display to apply for a licence and hold that display in his garden. I

am not trying to stop people enjoying fireworks, but anyone doing constituency work in any estate in Northern Ireland knows the seriousness of the problem. The lifting of the ban on fireworks has caused a flood of dangerous, illegal fireworks to come on to the market, and many of them are being sold at Sunday markets.

Yesterday the RUC impounded a van full of fireworks at Nutts Corner market. Floods of illegal fireworks are now on the market. The problem more and more serious and it is resulting in unnecessary misery.

We should look again at a ban such as that which applied for 25 years. The only people who were putting pressure on the Northern Ireland Office to remove the ban were those who had a vested interest in the sale of these materials. There is evidence that sinister individuals are behind the illegal trade in fireworks. These people are going to the markets, filling their car boots with fireworks, and selling them on estates to children as young as nine. There may be many children today who still have all their fingers and toes, thanks to the ban. Because of the ban many young people have been protected from injuries to their faces and eyes. A great deal of good has come from it.

I have written to the Chief Constable to find out how serious the situation is. I have met the divisional commanders in my area, and they tell me that their officers are plagued by this problem and that it has started much earlier this year than in previous years. It has been going on for at least two months and may well run past the traditional Halloween/Guy Fawkes night period.

By raising this issue today I hope not only to reiterate the complaints that I have received from people throughout my constituency but also to test the water — to see if I am being a killjoy by suggesting that we go back to the ban and if a ban would meet the needs and demands of many thousands of ordinary people in this province. I suggest that if this House should ever have the power to legislate on the fireworks issue, consideration should be given to a Private Member's Bill to reinstate the ban.

If by reinstating a ban we could stop the misery that has been inflicted on the elderly and disabled — even in my constituency, South Down — or if we can save one child from losing an eye or a finger or several fingers, then it will all have been worthwhile. That is what we are here to do — represent the people — and this is the one issue in South Down that I am getting more complaints about than any other.

## EDUCATION

**Mr Weir:** Due to the lateness of the hour I will try to keep my remarks brief, and despite the fact, or perhaps because of it, that the topic I want to deal with lies within the field of education, I promise the House that I will not be inflicting any more poetry on it today.

It is generally accepted that education has been underfunded for years. This has been acknowledged by the current government, and throughout the United Kingdom, education is one of the areas which has been given priority under the comprehensive spending review.

I specifically want to talk about the underfunding of preparatory schools. Members may feel that this is not a worthy cause. Some may even feel that, given the spending constraints on education, the funding of preparatory schools would be an appropriate area where cut backs could be applied. However, in education, as in many areas of politics, appearances can be deceptive, and perceptions can be wrong.

The impetus for reducing funding for preparatory schools has arisen most recently out of a report entitled 'Employment Equality — Building for the Future' produced by the Standing Advisory Commission on Human Rights. One section of the Report which deals with education refers to the need to cut back on the funding of preparatory schools. This is referred to as a transfer of money to middle class parents.

If you look at one of the footnotes to that Report you would come closer to the truth, as it refers to the fact that all of the preparatory schools are Protestant ones — and used by middle class Protestants. Middle class Protestants are more especially a section of the community which is well-beloved, and it is no great surprise that the Standing Advisory Commission on Human Rights targeted such a group.

As a result of the report, the comprehensive spending review proposed to reduce the level of funding for preparatory schools from 40% of teacher costs down to 20% and gradually to phase the funding out altogether. There was such an outcry against this proposal that the Government withdrew it and proposed a 30% level of funding — a reduction from 40% to 30%. This reduced level of funding has had severe implications for a number of schools already.

At the beginning of this year, 25 schools were affected. Of those, one has already closed down — the preparatory department at Ballyclare High School. The preparatory department at Rainey Endowed School has sent a letter to the parents of its pupils indicating that it will be closing with effect from June 2000. Two out of 25 preparatory departments have gone, and it is only a matter of time before the long-term implications of this policy will mean that a number of others will have to close — several are already under severe threat.

5.45 pm

**Mr Weir:** The reduction in funding has meant that it is no longer economically viable for many parents to send their children to prep schools. That, together with closures, will lead to a greater exodus from the prep schools. As a result, instead of the state providing 30% or 40% funding, it will have to provide 100% funding for those pupils who have to transfer to state primary schools. The one-tenth reduction means that the Government are spending considerably more on funding those pupils. The benefits of a small saving are far outweighed by the number of pupils who are forced to enter state primary schools.

The system operates against the benefits that are intended by the Labour Government who, presumably, aim to create a more egalitarian society and see the prep schools as akin to the private schools on the mainland. Prep schools are very much like ordinary primary schools, and are subject to normal school inspections by the Department and all other criteria apply to them.

The reduction in funding for prep schools will, in the long term, lead to the closure of many of them and the development of a small independent sector wholly funded by parents. The result will be a small, private school sector where none previously existed. That is the opposite of what the Labour Government have in mind.

We must get away from the notion that parents who send their children to prep schools are all rich. Many ordinary parents are making sacrifices to send their children to prep schools, and they are being most affected by the cuts in education funding. My opposition is also on educational grounds. Children's lives are being disrupted as they are withdrawn from schools and as schools close. Pupils have to be transferred to other schools and some teachers' jobs will be lost. The proposals are ill-advised.

The Department of Education should restore funding to 40%, which is not excessive. By asking for a review of this decision, the parents of pupils at prep schools are not seeking any special treatment. All that they want is equity and fair play, and surely that is not too much to ask. I urge the Government to review their decision immediately.

**The Initial Presiding Officer:** The last time we had an Adjournment debate of this kind there were three requests. The first was that all Members, and not just those who were successful, should be informed. As Assemblyman Wells pointed out, we have to go to some lengths to inform some Members that they have been successful — as far as the Balearic Islands, I understand, in his case.

Secondly, we wrote to all Members as well as contacting them by telephone. Thirdly, we undertook to post a list of the questions and the speakers on the



notice board. Some Members have asked about the list, which suggests to me that it was not on the notice board. I have had the Second Clerk check, and I understand that, due to an oversight, the list of speakers and the list of the six questions is not on the notice board. I apologise for that, and I assure Members that that will be rectified on the next occasion.

## EDUCATION NEEDS (STRANGFORD)

**Mrs I Robinson:** I want to raise an issue of great importance in my constituency of Strangford. I failed to secure an Adjournment debate at the previous sitting to speak on this matter. However, it is no less relevant today. I want to bring to the attention of the House the scandal of the lack of capital funding for Castle Gardens Primary School in Newtownards.

I welcome the fact that the press has taken an interest in the issue and that some papers have covered it in detail. I have compiled a document, which I have sent to the Minister, inviting him to investigate the matter.

I have 368 reasons for pursuing this matter today. That is the number of children who attend Castle Gardens Primary School. Like Victoria Primary School in Newtownards, Castle Primary School was built in the last century — in 1882 in fact. Like Victoria Primary School it is literally falling apart. I want to describe what it is like.

Castle Gardens has an excellent and dedicated staff. While we were on holiday, they were back at school not to do lessons, but to try to paint over the fungus and damp stains covering the walls in preparation for the new school year. The teachers bought wallpaper to cover the walls where the plaster was falling off. This was funded out of their own pockets — that is dedication.

Half the school is made up of mobile classrooms which are so rotten that pupils and staff have actually fallen through the floors. The roofs have sagged so much that one classroom has a post in the middle of it to hold the ceiling up. The rooms are so small and the classes so big that the fire escapes are obstructed. If fire extinguishers were placed where they ought to be, the children could not pass without banging into them. They have had to be taken down and set elsewhere, and that rather defeats the purpose.

We have heard of the bag ladies in America. We have them here at Castle Gardens Primary School — but with a difference. The teachers have to carry their

class books in bags because there is absolutely no storage space in the mobiles.

If all of this sounds bad, the main building is no better. All the walls are cracked and plaster is bursting off them because of damp. Not one part of the school has been painted in 24 years. Indeed, a

former pupil who is now teaching there, is working in her old classroom — which has not been touched since she left 17 years ago.

Naturally conditions are far worse now than when she was a pupil there. Corridors do not exist separately from the classrooms. You get to where you want to go by walking through the classrooms. Windows have long ceased to open because of the damp. Condensation runs down all the walls, and the children's coats usually have a damp and fusty smell coming from them, because they are hung on these damp walls. If the doors are kept open it stops the floors becoming slippery, but then the rooms are too cold to sit in. The toilets smell continually because of drainage problems, and, despite all efforts, nothing can be done to eliminate this problem. Perhaps the most bizarre fact is that the pipes taking the rain water off the roof actually run down the inside of the classrooms — which adds to the condensation problem.

Outside we have an even bleaker picture. The school sits beside a canal, which is nice, until the water level rises and the playground becomes a swimming pool. Since we have a lot of rain in our province the playground is frequently flooded and the children are denied space to play. The only way in which the water can get away is by soaking away, which means that it lies all the longer.

It has long been accepted, in principle, that this school should be replaced. Land has been set aside for appropriately six years, and plans are already drawn up but the Department of Education refuses to release the money for this to happen. Perhaps if some in the Department were to leave their carpeted offices and mahogany desks and actually visit schools like Castle Gardens and Victoria, they would be less keen to throw money at politically correct schools which siphon off money from those in the state sector.

I have no difficulty in supporting integrated school. However, they should fall in line with all the other schools and wait their turn for funding. It is unjust that special treatment be given to integrated schools. It is especially so when we see the awful conditions in a large number of state schools which are bypassed because a handful of parents get together and seek to establish an integrated school.

**A Member:** Will the Member give way?

**Mrs I Robinson:** I will not give way.



With regard to Castle Gardens Primary School, the Minister's recent statements suggest that he and his Department accept, in principle, the need for a replacement school and that it will be given priority. However, more than acceptance is required. The proof will be the go-ahead for a new school. If this is not approved, then the Minister is not being truthful.

I have already said to the Minister "Visit these schools and then do what is right for these pupils." I should point out that despite the conditions I have outlined, at least 65% of those sitting the 11-plus will pass. That is due to the overwhelming commitment and dedication of the staff. I am not asking for anything special for the pupils and teachers of Castle Gardens Primary School; I want them to have equal treatment. No child in an integrated school, a Catholic school or a state school should be exposed, during primary education, to these conditions. No teacher should be asked to work in such squalid conditions. What message are we sending to the people of Newtownards when we ask them to tolerate this situation? It is time for action.

Another item linked to education is the dreadful situation facing the special schools which are operating without the full-time back-up of trained nursing staff. Some years ago the South Eastern Education and Library Board and the Eastern Health and Social Services Board gave an undertaking to share the cost of providing trained nursing staff. To date nothing has been done.

I have written to the Health Minister as it appears that the Eastern Health and Social Services Board is responsible for the delay. I trust he will treat this matter urgently and resolve it forthwith. Why should children with the greatest need be treated in this shameful way? These are children with severe physical and mental disabilities. Some have to be fed through tubes into their stomachs, while others have catheters to deal with.

If Members were to visit Tor Bank Special School, a few hundred yards away, they would see at first hand the sterling work carried out by the dedicated staff, despite the fact they are not qualified nurses. This is an area where all parties can lend their support and, I hope, put pressure on the Minister to resolve the problem expeditiously.

## EUROPEAN UNION: SURPLUS FOOD

**Mr McCarthy:** The subject on which I am about to speak causes me a great deal of anger and deep annoyance. I am grateful for this opportunity today to

describe a callous decision by the British Government, our Government, to withdraw surplus food from the most needy in society. This food has been available to such people for years through the European Union surplus food initiative.

When I heard about this proposal I said "No, surely not?" This country is now being run by the British Labour Party — new Labour. We dispensed with the Conservative Government some 18 months ago. For over 18 years, they had the reputation of being ruthless and uncaring, as far as the ordinary man and woman were concerned, and we are all aware of the unnecessary suffering caused by that regime.

We presently have a Labour Administration, and I welcomed its election to office. I felt that it was long overdue and that at last the needs of the ordinary people would be addressed. Now we have been told that new Labour is ready to dump, destroy, withdraw and do away with something that put food into empty stomachs. Why? Apparently to save on administration costs. They would rather burn the stuff than see it go to where it is needed.

*6.00 pm*

I hope Members will support me in saying that it will be a shame on the Labour Government, on the Minister responsible for this madness and on Tony Blair if this scandalous proposal is put into action thereby allowing our fellow countrymen, women and children to go hungry simply because the government are not willing to pay for the distribution of this surplus food.

The scheme, which is backed by the European Union, has been ongoing since 1987 and it has been supported by the uncaring Conservative Government and every European Union Government over those years. It has been appreciated by many people, and I pay tribute to the many voluntary organisations and individual volunteers who, over the years, have given their time to distribute the food to all those people who were entitled to it.

For a period I too would have spent a Saturday afternoon delivering meat and butter to people living in the rural areas who had no way of getting into the village. I can assure Members that those people were extremely grateful for what they received.

I am sure every Member is aware that there are still hungry people throughout the British Isles. During my stay in central London, when the talks were held in Lancaster House, I could not believe the number of hungry and desolate men and women huddled in the entries and doorways of the main streets of the capital. At times voluntary groups would come by and provide them with a hot meal. The same thing happens in many

other towns and cities where unfortunate people look on this food as a lifeline; indeed, as a godsend.

What will happen to these people when this source of food is withdrawn by the Government? This proposal simply cannot be allowed to go unchallenged. If this new Labour Government has any soul or sympathy, it must show it and scrap this proposal.

As there should now be an increase of surplus food, the Government ought to be planning extra distributions to those in need. I hope a message from the Assembly will go to the Department responsible. Rather than incinerate or destroy perfectly good food, ways should be found to use it for the benefit of the hungry.

There is so much terrible hunger and starvation across the world — we see on our television screens millions of people, including children, starving in the Sudan, in Ethiopia, Bangladesh and many other places. Why in God's name cannot Europe get this surplus food dispatched to where it is needed? It is a sin, for the Government to propose to burn food when there is so much hunger and despair in the world. I hope that by raising this important subject today, the decision to withdraw the food will be reversed immediately.

Finally, I was disgusted to receive a reply recently from Lord Dubs on this important subject. He stated that he appreciated that the Government's decision would cause disappointment, but that it was the view that the scheme did not provide good value for money, or achieve its primary objective of making serious in-roads into the tonnage of United Kingdom beef held in intervention. Perhaps he should ask those who were extremely grateful to receive the food. Surely Governments have a duty to feed the hungry, be it at home or abroad. To incinerate or destroy perfectly good food is wrong, totally wrong.

The message from the Assembly today must be for the Government to cancel their proposal and try harder to get this food to where it is most needed. Any Member of the Assembly may in the future be in a position of authority and I hope no Member will ever bring forward a proposal to destroy good quality food here.

## DRUG ABUSE AND EDUCATION

**Mr Boyd:** The illicit use of drugs has been growing steadily in Northern Ireland over the last four years, and there have been a variety of responses to the situation.

We know that illicit drug use is by no means confined to Northern Ireland, but there has perhaps

been some complacency in the knowledge that matters here are not as bad as elsewhere — for instance, Great Britain, the Republic of Ireland, Western Europe and the United States are all seen as having a worse problem.

It is the growth of our own problem that should be of concern to us all. The drug culture knows no boundaries, and there are certain similarities wherever it has taken root.

But what is the extent of the drug problem in Northern Ireland? In 1991 there were 51 registered addicts, but by 1997 this figure had more than trebled to 162; between 1990 and 1995, 24 people had died from drug abuse in Northern Ireland; and between 1991 and 1995, a further 20 people had died from solvent abuse.

Drug taking here is different from that in the rest of the United Kingdom. Here, the most commonly used illegal drugs are cannabis, LSD, speed and Ecstasy.

There is also the problem of solvent abuse among young people.

There is evidence to show that the proportion of young people who have been offered drugs has increased over the last four years. In 1994, 1150 fifth-formers were asked about their experiences of illicit drugs — forty-two per cent had been offered drugs and 26% had used drugs or solvents. Up to a third of young people may have experimented with illegal drugs. As the parent of a young teenager this statistic worries me greatly. Also of great concern is the increasing use of alcohol and tobacco among young people.

Why do young people try drugs? Many of us may remember the reasons why we first tried a cigarette or a drink when we were teenagers. These reasons are the same today: to look grown up, to take a risk, out of curiosity, or because friends are doing it. However, these reasons now apply to illegal drugs as well. A growing number of young people in Northern Ireland take drugs regularly, and a percentage of them will become dependent.

All drug use involves risk, but what are these risks? There are four main areas. The first is the physical risks. These depend on the type and strength of the drug, the amount taken and the person taking it. The range of effects includes a change in heart rate and blood pressure, exhaustion, collapse and in some cases, death. Physical dependence occurs when the body actually wants the drug. If the drug is not provided, withdrawal symptoms will occur — for example, stomach cramps, sweating, sleeplessness or anxiety.

The second area is the psychological risks. The effects include a reduction in self-confidence, feelings of inability to cope, anxiety and panic. These feelings

can be quite mild or extremely frightening and can continue for several days after use. In some cases lasting psychological damage will take place. Some will depend on drugs to cope with life.

The third area is the social risks. These include difficulties with families and friends or poor performances at school, college or work. Drug taking can lead to involvement in anti-social activities such as joyriding and burglaries. Users may also make unwise decisions concerning their sexual behaviour.

The fourth area is the legal risks. This includes being convicted of a drug offence. But young people may also be convicted of being involved in petty crime to fund their drug taking. The resultant criminal record can affect the young person's life in many ways — for instance, it may affect future job prospects or entry into certain countries.

What drugs are around in Northern Ireland today? A cannabis deal costs around £10 in Northern Ireland. In 1997, 37 kgs of cannabis was seized in Northern Ireland; in 1995, more than four times that amount was seized — 160 kgs. LSD, more commonly known as acid, has an average cost of £5 in Northern Ireland. Ecstasy, which is mainly associated with the rave and all-night disco scene, is selling in Northern Ireland at anything from £15 to £25. In 1991, the Royal Ulster Constabulary seized 2,711 Ecstasy tablets; in 1995, they seized 50 times that amount — almost 137,000 Ecstasy tablets.

At present there would not appear to be an injecting drug culture in Northern Ireland. However, the possibility of increased heroin and cocaine use must not be ignored. The Royal Ulster Constabulary's Chief Constable stated recently that he feared increased heroin use could lead to a rise in general crime.

What is currently being done to resolve the problem? In 1995, the Central Co-ordinating Group for Action Against Drugs was set up by the Government with consultancy support and advice was provided by the medical profession, the Royal Ulster Constabulary and others as necessary. In October 1996 the Northern Ireland drugs campaign was launched and is making a difference. There are three key aims in the campaign against drugs, the first of which is a reduction in supply.

Activities to control or reduce the supply of illicit drugs can be categorised as reducing supplies at the point of origin; controlling supplies at the point of entry; and controlling distribution. These are the domain of the enforcement agencies — the Royal Ulster Constabulary and HM Customs and Excise. There were 453 arrests for drug offences in 1991; in 1995 the number was 1,558.

I appeal to the public to continue to help the Royal Ulster Constabulary in its fight against drugs. To reduce demand we must stop people experimenting with drugs in the first place; delay the onset of experimentation; reduce the number of people who take drugs and, ultimately, stop drug-taking completely. That will be achieved by education in schools, particularly at an early stage; by the education of parents and by education by various statutory, voluntary and charitable bodies, such as the Youth Council for Northern Ireland. We must also increase the awareness of national and regional help lines.

The third key is treatment and rehabilitation. The family doctor can either treat the users or refer them to a specialist agency. Drug counselling services may be contacted directly, or users may be referred to them by agencies such as Social Services, Probation, police and family doctors. From 1994 the drugs squad of the Royal Ulster Constabulary may refer young people to a counselling agency. Psychiatric hospital treatment will normally be arranged through the family doctor. Hospital rehabilitation takes place in a drug-free environment in which people are helped to live without drugs.

The use of illicit drugs is one of the most serious problems in Northern Ireland, especially for our young people. I call on the community to support the Royal Ulster Constabulary in helping in bringing to justice the people who are involved in this evil within our society because that will create a better and healthier environment for everyone. "Hear hear".

**The Initial Presiding Officer:** The meeting of the Committee to Advise the Presiding Officer was scheduled for 6.30 pm but it will now be held at 6.45 pm.

*The Assembly was adjourned at 6.12 pm.*





# THE NEW NORTHERN IRELAND ASSEMBLY

**Monday 9 November 1998**

*The Assembly met at 10.30 am (The Initial Presiding Officer (The Lord Alderdice of Knock) in the Chair).*

Members observed two minutes' silence

## PRESIDING OFFICER'S BUSINESS

**The Initial Presiding Officer:** By virtue of paragraph 1 of the schedule to the Northern Ireland (Elections) Act 1998, it falls to the Secretary of State to determine where and when meetings of the Assembly shall be held. I have received from the Secretary of State a letter directing that the Assembly shall meet at Parliament Buildings, Stormont at 10.30 am on Monday 2 November until 6.00 pm on Monday 30 November.

During the last sitting, there was comment about remarks allegedly made by some Members, and I was asked to give a number of rulings. I have studied the Official Report and have listened to sections of the tape recording of proceedings. I have also taken advice on certain matters. Neither the Official Report nor the tapes of proceedings picked up any comments of the kind alleged to have been made by Rev William McCrea. Remarks made by some Members sailed a little close to the wind, and I request Members to observe more closely the courtesies and respect due in the Chamber.

In the case of some other interventions, I have issued formal, written cautions to those concerned, and I must advise the House that repetition of such transgressions will inevitably lead to disciplinary action. Let me be more specific: however justified Members may feel about making criticisms of me as an individual — and I have no doubt that such criticism is, on occasion, justified — it is my responsibility to be the current guardian of the dignity of the Chair. I must therefore advise that criticisms in the Chamber of the Chair should be made only on a substantive motion, as is the rule elsewhere. They should not be made incidentally in debate.

My second ruling concerns the reading of newspapers in the Chamber. This is clearly discourteous to other Members, especially those speaking at the time. Newspapers should not be brought into or read in the Chamber, except for brief quotations in the context of a speech. Furthermore, should this or any similar device be used with the possible intention of embarrassing a Member, it will be ruled out of order.

Finally, I must remind Members that it is not acceptable to accuse other Members of telling lies. This is a clear rule. Members may be said to be misinformed, misguided or mistaken, but they may not be accused of lying — that is unparliamentary language.

**Mr Maskey:** A Chathaoirligh, Mr Initial Presiding Officer, I should like to make a point of order relating to your last remarks on unparliamentary language and your judgement on that. It is remarkable that part of the substance of the complaints that I made at the last sitting of the Assembly has been lumped in with your complaints. Perhaps I should have put forward a motion on your handling of that business. However, I would appreciate your views on the transcript of a remark attributed to Paul Berry. This is recorded on page 236 of Hansard of 26 October.

**Mr C Wilson:** On a point of order, Mr Presiding Officer.

**The Initial Presiding Officer:** This is, I understand, a point of order.

**Mr C Wilson:** On what basis are you dealing with this business.

**The Initial Presiding Officer:** I am taking Mr Maskey's remarks as a point of order. They are clearly a query about my conduct of the proceedings. I cannot take a point of order on a point of order.

**Mr Maskey:** A Chathaoirligh, I want to make the specific point that in Hansard Mr Berry is reported as having referred to a full terrorist organisation in the Tyrone area. It is my understanding, and that of other Members, that those were not the words used. I would like you to investigate the accuracy of Hansard and report back to the Assembly. I am not certain that the report is accurate.

I should also draw your attention to the substance of Mr Berry's remarks as recorded in Hansard. They are quite disgraceful and bear out the criticism levelled at you at that time.

**The Initial Presiding Officer:** I made it clear at the time — as I think Hansard shows — that I was not content with some of the remarks and their tone. In that context, I have followed the matter up. All Members are learning procedure and what is appropriate behaviour

in the Chamber. For example, one of the reasons the Initial Presiding Officer stands is to indicate to other Members that they should sit down — and we have just had such a situation.

I have tried in these first sittings to be reasonably flexible and understanding for I am aware that, while some Members have experience of various elected bodies, others have limited or no experience. To that end I have prepared one or two sheets of advice about procedure, which I hope will be of help to Members and will give them some confidence when participating in debate.

I am content that the rulings I have given and the cautions I have issued to Members, even since the last sitting, have been appropriate.

Mr Maskey has asked me to look at the accuracy of Hansard. I will certainly do so.

**Mr McCartney:** *rose.*

**The First Minister (Designate) (Mr Trimble):** On a point of order, Mr Presiding Officer.

**The Initial Presiding Officer:** A point of order, and then —

**Mr McCartney:** I think I was first on my feet, but if there is a pecking order, you are clearly observing it.

**The Initial Presiding Officer:** I have already drawn Members' attention to the fact that, while criticism of me personally may be quite understandable, criticism of the Chair in that way is not helpful.

**Mr McCartney:** Mr Initial Presiding Officer —

**The Initial Presiding Officer:** I have not yet sat down.

**The First Minister (Designate):** Mr Initial Presiding Officer, my point of order concerns earlier rulings — in particular, your references to newspapers and other papers. Was the action entirely appropriate? I am familiar with the practice at Westminster, where it is assumed that we have no papers and deliver speeches off the top of our heads in excellent English. That is the culture there.

To what extent is your ruling influenced by that culture? I recall that when we decided on the Assembly layout, and particularly this format with desks, the idea was to create a slightly different culture in this place. The desks are an acknowledgement that Members will have papers in front of them.

Perhaps you would like to reflect on your ruling, bearing in mind that deliberate decision to try to create a slightly different culture here. While I have the greatest respect for the practices and procedures of the House of Commons, I wonder whether this is simply a

case of following all its rulings as if there were no difference in terms of layout.

**Mr McCartney:** Further to that point of order, Mr Presiding Officer. It is quite illogical and inaccurate to suggest that because there are desks, Members should be allowed to bring in newspapers to be used in the way that one was used at our previous sitting. The desks are purely for our convenience for the placing of papers. They are not an invitation to read newspapers or a place on which to rest our elbows while we wave newspapers to display some notice on them.

If the desks are intended to support a change of culture to that type of behaviour, it is not a culture that I wish to be involved in or associated with.

**The Initial Presiding Officer:** Both points of order addressed the same matter. First, I have been addressing the question of newspapers — not briefing papers or other such documents. I can understand that Members may wish to refer to documents, such as briefings, advice on speeches or notes and so on. I am referring specifically to newspapers.

There may be times when Members will wish to refer to newspapers and quote from them in the context of a speech. However, it was drawn to my attention that at the last plenary sitting a Member had brought in a newspaper and had conducted himself in a way that was intended to embarrass.

I viewed the video recording, and I have no doubt that that is a possible interpretation of the behaviour at that time. I have therefore ruled in regard to newspapers. For anyone to openly read a newspaper, other than in making a quotation, is a discourtesy to the House and to other Members, particularly the one who is speaking. I intend to hold to that ruling. *[Interruption]*

I am reminded of my ruling about mobile telephones, which seems to have been transiently

breached, and I again advise Members that I wish to hold to that ruling. I am sure all Members will agree.

**Mr P Robinson:** I support entirely your ruling, Mr Initial Presiding Officer. It is the only sensible one in the circumstances, although some Members may wish to hold up a newspaper whose headlines speak more eloquently than they ever could. *[Laughter]*

10.45 am

I was one of those involved in determining the layout of the Chamber. I draw to your attention, lest in the number of points of order it go by default, that there was no intention — unless it was subconscious — to conduct business according to the type of wood in or the layout of the Chamber. There is no commitment to accept the present layout beyond the initial period, after

which we will return to the matter, perhaps to decide a better arrangement.

**Mr McGimpsey:** Some Members are aware that I am the one who was reading the newspaper at the last sitting. At no time did I wave the newspaper. I sat and read it. It contained an article about a matter concerning designation that had been raised by Mr Foster. I was surprised to discover from the article that, although in the House we are “Unionist”, “Nationalist” or “Other”, one party is all three. I thought that an important matter, and I wanted to read about it.

However, I accept your ruling, Mr Initial Presiding Officer. I will not read newspapers in the House if they might embarrass Members.

**The Initial Presiding Officer:** I am not sure in what context that matter has been raised. It does not seem to be a point of order. I described Mr Foster’s point of order on the matter as most ingenious because it was more a political point. I have viewed the video tape and given my ruling.

## PROCEDURAL CONSEQUENCES OF DEVOLUTION

**Mr McFarland:** I beg to move

That the Assembly approves the report prepared by the Ad Hoc Committee on the Procedural Consequences of Devolution and agrees to forward it to the Procedure Committee of the House of Commons.

The Ad Hoc Committee was established by the Assembly on 14 September 1998 in response to a press notice from the Procedure Committee at Westminster. At its first meeting I was elected Chairman, and I am grateful to the members of the Committee for their unanimous support and for the co-operation and commitment they have demonstrated throughout the Committee’s work.

The Committee understood its remit to be the assessment of the changes that might be required to procedures at Westminster. It did not consider the procedural arrangements for the Assembly, and I have written to you separately about these matters.

Procedural consequences constitute an unusual and difficult subject, and an unfamiliar area for most members of the Committee. Initially we had difficulty in establishing the context. There was uncertainty about the Northern Ireland Bill, an absence of comparable Scottish and Welsh bodies, and a lack of agreed procedures in the Assembly.

The Committee chose to flesh out its collective knowledge through presentations. Members heard from an academic lawyer and a retired senior civil servant. We took advice from the Cabinet Office and from others on some of the more detailed aspects of our brief including the relationship with Europe. Copies of the written evidence that was submitted to the Committee have been placed in the Library, together with the minutes of proceedings. The Committee is grateful for the considerable assistance and general willingness of many people to help with its work. Most of the advice was offered on an informal and non-attributable basis, and I offer only a general note of gratitude to those who helped.

The Committee offered recommendations in two identified areas. First, we referred to Westminster procedures which the Committee felt should be modified; secondly, we referred to Westminster procedures which might be modified in the light of developments.

The key principles recognise the primacy of Westminster and the reality, in effect, of devolution — that for most people in Northern Ireland the

Assembly would, de facto, be the Government. The Committee disagreed on only one area — that of the primacy of Westminster — and that required a vote at its last meeting. This is a factual matter with which some parties had difficulty. Apart from that, we agreed on most matters.

Consequently, the Committee recommends that Westminster should introduce changes to its handling of Questions on devolved matters, changes in how public expenditure on devolved matters is scrutinised and changes to the roles of Westminster Committees which focus on Northern Ireland. In practical terms this may mean an end to the Northern Ireland Grand Committee, considerable contraction to the remit of the Northern Ireland Select Committee — with a counter-balancing increase in the responsibilities of Assembly Committees — and perhaps a new system for consulting the Assembly on European legislative proposals. The overriding factor is that we are giving our views on this. These remain, and will remain, questions for Members at Westminster to decide.

The report also confirms the relationship between Westminster and the Assembly, the authority of Westminster to scrutinise devolved arrangements through parliamentary questions and the continuing importance of Northern Ireland MPs in considering reserved and excepted matters.

One further, and topical, area of interest is that of the relationship with Europe. At present, proposals for EU legislation are channelled through Member states for consideration by domestic legislatures. There are about

1,200 proposals every year. These are whittled down, on grounds of relevance or effect, to about 50 for further action. The issue arises over how to provide for an input from the devolved Assemblies. The Committee believes there are sound financial reasons for not duplicating the initial sift of the 1,200 proposals. It would prefer consideration to be given to the 50 or so proposals that go to the EU Standing Committees at Westminster.

The Westminster Committee that deals with European legislation has indicated that it would be content to provide the Assembly with all its information on these proposals. This would give Members an opportunity to focus on the consideration of the most significant issues. Of course, it is for the Assembly to decide how else it wishes to be heard in Brussels, and I expect that this will be the subject of further consideration following our visit last week.

Other issues for further consideration include the impact of the Northern Ireland Bill when it becomes law, the relationship between this Assembly and the devolved bodies in Scotland and Wales once they are set up, and the wider issue of how this body will conduct its business. Indeed, the Assembly may wish to form its own Procedures Committee.

Mr Initial Presiding Officer, I would be grateful if you were to consider the issues that I have raised with you.

In closing, I wish to pay tribute to the Clerk of the Committee, who has provided outstanding support and service — often late into the night. We were on a tight timescale, and this required a great deal of extra work.

In addition, I wish to thank my fellow Committee members and commend their efforts. I want to pay tribute to the pragmatic, yet principled, approach taken by all of them as they identified the key issues and worked together to agree recommendations.

I am reminded of a House of Commons Committee Clerk who said famously that a committee was a cul-de-sac up which good ideas were led, there to be quietly strangled.

Throughout the seven meetings during which we produced a 4,000-word report with more than a dozen practical recommendations, there was rarely any disagreement. I have pointed out the one key area where there was disagreement as a result, I believe, of misunderstandings and simple drafting preferences. The real success that might emerge in this debate is that the Committee members sat down together and produced a report which was unanimously agreed, and I commend the report to the Assembly.

**Mr Foster:** I support the report and commend Mr McFarland and the Committee for their excellent work.

The procedural consequences of devolution for the people of Northern Ireland are not just administrative, and we must consider the actuality, the real intent. We have come a long way. The democratic deficit in Northern Ireland, which has lasted so long, is on the point of being left behind. Democracy almost prevails once again. That is important to us. I agree with paragraph 44 of the report:

“In many respects the full impact of these changes can only be addressed when the system has become fully operational.”

That is the effective reality of devolution, and Ulster Unionists have always sought such intent. We have endeavoured to be constructive for the overall well-being of the people of the Province. We have been positive while others — and they are present today — have sought the downfall of the Northern Ireland state through various methods of non-co-operation. Some have used so-called constitutional methods, while others have used the bomb and the bullet. We sincerely trust that such abhorrent and incredibly devious methods are now in the past. We look to the future. The potential is tremendous, and goodwill is evident throughout the world.

Most of us have just come back from Brussels where we heard the European Union’s words of good intent echoed over and over again. Those who fail to live up to such goodwill will face the world’s scorn. A real decision-making parliament within the United Kingdom is round the corner. It will provide the strength and resolve to make decisions for Northern Ireland, and those decisions will be made by the Northern Ireland people. We have yearned for that for the past three decades. There is room for all of us by such democratic means. Indeed, there can be no other way. Surely no one wants a return to destruction. Will the people ever forgive us if we fail in our task?

I agree that we are subordinate to the sovereign Government at Westminster. As an Ulster Unionist, I am pleased that the constitutional position of Northern Ireland has been copper-fastened by the British/Irish Good Friday Agreement. However, the spirit of that Agreement is being derailed by some with only ulterior motives. To achieve good government, we are all required to work for the common good of the people of Northern Ireland. They, and no others, elected us.

The base must be Stormont — and the first principle of good government is a home base. Secondly, honesty, integrity and responsibility must prevail, and good citizenship is of the essence. The Agreement encapsulates such requirements. If there were honesty and integrity, there would be immediate action on the issue of decommissioning. Cross-community trust and mutual respect would then prevail, and together we could look at economic and social issues and try to deal with them in a united way.



There are many issues to be faced. Employment problems, the acute agriculture crisis, education and health and personal social services require our attention.

**The Initial Presiding Officer:** Order. The debate is on the procedural consequences for the House of Commons of devolution in Scotland, Wales and Northern Ireland. I have listened with some interest to the Member, but I am not sure that his speech bears on the matter that is before the Assembly. I must ask him to try to address the question which is to hand.

**Mr Foster:** I am dealing with the consequences and responsibilities that we will have in government.

**The Initial Presiding Officer:** Order. The report is not about the procedural consequences of devolution for the Assembly. It is about the procedural consequences of devolution for the House of Commons, and I ask the Member to try to draw his remarks in that direction. I have been fairly lenient and fairly broad in my acceptance of his remarks.

**Mr Foster:** Progress towards government can move forward, but everyone must be committed. The serious moral issue of decommissioning cannot be ignored within this parliament of ours which we seek. The Assembly will be a parliament for Northern Ireland. We are working under the Westminster Parliament and Her Majesty's Government, and I am pleased about that.

An important situation confronts Northern Ireland. Decommissioning is a big issue which I must argue before we get round to dealing with procedures. We need decommissioning now — not next week or next year. One cannot take out a mortgage if one does not face responsibility.

*11.00 am*

**The Initial Presiding Officer:** The Member must understand that my ruling was fairly clear, and I must ask him to abide by it.

**Mr A Maginness:** The compilation of this report proved to be a very useful political exercise for the Assembly. Instead of its being a cul-de-sac, it opened up a highway of opportunity for all the Committee's members. It brought us to a number of important and crucial issues, and it allowed us to examine them in relative calm and without serious contention or dispute.

It was an interesting political experiment for this Assembly in that we were trying to achieve political consensus in the context of an Assembly Committee. It is a subject that was likely to excite political opinion on all sides, and so it did. Nonetheless, we should congratulate the Committee on having reached consensus on all its major recommendations, and there was little dispute about the substance of the report.

It was an achievement, and it sets an example for the Assembly as to how we should approach political issues in the future. The word "consensus" does not mean hanging up or throwing out one's political principles; it means reaching as much of a political agreement as one can within the context of the subject under discussion.

**Mr Paisley Jnr:** The Committee reached consensus — and I recognise the clarity of the issue — but after what the Member has said today I am somewhat concerned about why, in Committee, he then voted against the final wording of the report.

**Mr A Maginness:** Of course, my party and I did not vote against the report. We support its recommendations, together with the substance of its text. There was disagreement on only one part of the text. Therefore my address to the Assembly remains consistent with the position that we adopted in the Committee.

Let me give credit to Mr McFarland for his independent and skilful chairmanship of the Committee. It was his approach that led to our achieving consensus, and the House owes him a considerable debt.

The report is well presented in terms of both its text and its arguments. It reflects the substantial shift in the political centre of gravity from London to Belfast and recognises the change in political culture which has been reflected in the setting up of this Assembly.

Transferred matters will be of primary concern to this House, not Westminster, and substantial changes will flow from that by way of how Westminster deals with Northern Ireland. This has been reflected in the report where we have recommended that the Procedure Committee of the House of Commons modifies the Standing Orders of the Northern Ireland Select and Grand Committees. That will reflect the fact that a substantial amount of decision-making will flow to this House.

When the House of Commons considers the future of Select Committees it may decide to change or restrict them. One cannot second-guess, but that may apply in particular to the Select Committee on Northern Ireland Affairs.

This report is useful because it enables us to examine issues that we did not expect to examine. I mention in particular the issue of European legislation because this body must consider seriously its input to the shaping, framing and amendment of EU legislation. This is an important matter for the Assembly, and we must examine procedures for influencing the input of the Administration at Westminster to European legislation. Such legislation is, of course, the province of the Commission and the

European Parliament, but the preliminaries for devising and framing it are matters for Westminster and, let us hope, in part, the Assembly.

It is important to return to the issue of European legislation, and I suggest that the Assembly set up its own European Committee to consider not only European legislation but the wide gamut of European issues, of which this House is more conscious as a result of the visit to Brussels last week. It is important for us to support this useful report. Members should read it in detail and draw conclusions from it.

There will be future work for the Committee. The Northern Ireland Bill has not completed its passage through the House of Commons, and there remains the setting up of the Scottish Parliament and the Welsh Assembly. Serious questions for us to re-examine will arise from these matters.

I commend the report to the House. It was a useful political exercise, successfully completed, and it provides a model for the future. If we work in future as well as we did on the report we will make considerable progress in creating real and sustained consensus, and that must be for the good of our constituents.

**Rev William McCrea:** I join the Committee Chairman in welcoming the report, which was commissioned under the Assembly's terms of reference that are mentioned in paragraph 2:

"to consider the procedural consequences of devolution as they are likely to affect the relationship between, and working of, the Northern Ireland Assembly and the United Kingdom Parliament."

At times the Chairman of the Committee had difficulty in focusing some members' attention on the Committee's remit and duty; on how its deliberations would affect the Procedure Committee at Westminster; and on the changes which may be necessary in procedures at Westminster in the light of devolution.

Discussion and debates in Committee were wide-ranging. The successful presentation of the report is due to the diligent manner in which the subject was approached, the expert presentations and the work of the Committee Clerk.

The subject matter is of primary importance. The establishment of appropriate procedures at Westminster — the sovereign Parliament — must not be overlooked. Some Members have placed interpretations on the report. I say to the Chairman and to Mr Maginness that they are trying to put a slant on the report which is not there. In the Belfast Agreement there was tremendous emphasis on trying to dilute the power and authority of the sovereign Parliament at Westminster and at the same time a strengthening of the relationship with Dublin. That is one of the reasons I and my colleagues

voted against the Agreement and make no apology for so doing.

Northern Ireland's finances come from and are voted on at Westminster. It is therefore vital that lines of communication be clear and that ties with the national Parliament remain strong. The report acknowledges the vital role of Westminster, but the interpretation that some are putting on it seems to play down the primacy of Parliament. The essential role of the Members of Parliament must be preserved rather than diminished. Some on the Committee shied away from parliamentary scrutiny and said that there might not be a role for the Select and Grand Committees at Westminster. However, that is not what paragraph 8 says. It states

"In April 1998 the agreement of parties in Northern Ireland led, following elections, to the establishment of a shadow Assembly to which power would be devolved early in 1999. Paragraph 33 of Strand One of the Agreement describes the continuing role for Westminster and in particular confirms a continuing role for the Grand and Select Committees."

The Agreement confirmed the continued role of the Grand and Select Committees. The impression has been given that major changes should be made. However, while modifications may have to be made, we must remember that he who pays the piper has the right to call the tune. Are we suggesting that while Westminster gives the money for the running of Northern Ireland, Members of Parliament will have no power of scrutiny of how that money is being spent? That money is important for Northern Ireland, and Members of Parliament should have the right to ensure that it is used in the best interests of the citizens of this part of the United Kingdom.

During our discussions, the key principles were outlined in paragraph 9. It states

"The Northern Ireland Act 1998 will set out the legislative competence of the Assembly. The provisions of the Northern Ireland Bill explicitly emphasise that the United Kingdom Parliament retains the power to legislate on any subject throughout the United Kingdom."

Note the words

"explicitly emphasise that the United Kingdom Parliament retains the power to legislate on any subject throughout the United Kingdom."

11.15 am

Some Members wanted to sideline Westminster completely and give the impression that all we want is to take the money and say "Goodbye." The previous draft of the report stated clearly

"Essentially the fundamental basis for the relationship between the Assembly and Westminster lies in the clear understanding that matters which are transferred to the Assembly are its responsibility and its responsibility alone."

That was removed, as was the recommendation that, following devolution, transferred matters should become essentially the sole preserve of the Northern Ireland Assembly. Paragraph 13 previously stated

“The Committee believes that, as was previously the case under devolution, questions on transferred matters should be taken only in the Assembly. Questions to Ministers in the House of Commons should be ruled out of order and referred to Belfast. Questions on transferred matters are matters for the Northern Ireland Assembly and should not be taken at Westminster.”

All those statements were removed. I had the privilege and honour of being a Member of that House for 14 years. Those remaining at Westminster and those who desire to go there will certainly want to ensure that their constituents get the best possible government. If there are matters that they think the Assembly is not handling correctly they have a right to raise them at Westminster. There ought to be open democracy, whether it be in this Chamber or in —

**Ms Rodgers:** Will the Member give way?

**Rev William McCrea:** No, for I am finishing.

The report acknowledges that there are important issues that need further detailed scrutiny. We flagged some of them as we came across them, though not all were strictly within our present remit. This is not a final report. It will be necessary to revisit many of the issues in the light of experience. However, I genuinely feel that the report will make a valuable contribution to the development of procedures at Westminster, permitting Members of the national Parliament to retain a vital and important role in the democratic process, and allowing us to exercise the power which has been devolved to us.

I wish once again to compliment all those who helped in the preparation of this report, especially the Committee Clerk, and to note the vital role that the Chairman of the Committee, Mr Alan McFarland, played in our deliberations. I commend the report to the Assembly.

**Mrs Nelis:** Go raibh maith agat a Chathaoirleach, I would like to join the other Committee members in commending the Chairperson, Mr Alan McFarland, for presiding over, with great difficulty at times, the preparation of a report which, as Sinn Féin stated when the interim report was presented, was, in essence, premature. However, in terms of learning, this was a valuable process, and the Committee's members addressed themselves to the remit. It was an interesting political exercise.

There was substantial agreement on many of the questions posed by the remit, including the transferred matters and co-operation with other assemblies. There are also glaring omissions, such as the procedural consequences of devolution in the context of the North/South bodies. Most members worked their way

through the many constitutional questions raised by the remit, but others sought to put their own political spin on it. This was not in the spirit either of learning or of the Good Friday Agreement.

The final draft of the report was given to the Committee on Friday 30 October, shortly before the meeting began. Sinn Féin noted a number of changes, or additions, to the draft that had been presented to us at the bilateral meeting and on which we had agreed in principle. What appears to have happened, a Chathaoirleach, in respect of paragraph 9 is that the text has been added to in a manner which, I believe, goes beyond what the Committee was asked to do.

Some aspects of the draft document still present that difficulty. Instead of commenting, as we were asked to do, the report tells Parliament what it should do. Unionist representatives on the Committee — and this is where the disagreement comes in — engaged in a semantic exercise designed to appear to tighten the relationship between the Assembly and Westminster. This is not within the spirit of the Good Friday Agreement.

Devolution apart, the Six Counties Assembly is equated with the projected devolution in Scotland and Wales, although these bodies have not been set up. The North of Ireland Assembly and the Scottish and Welsh Assemblies are set up under different Acts and with widely differing powers. The processes cannot be equated.

The remit of the Ad Hoc Committee was simply to consider or comment on the changes necessary and the constitutional implications for Westminster as a consequence of the legislation resulting from the Good Friday Agreement. The additions to paragraph 9, beginning at the third line from the bottom, obviously relate to the Unionist strategy of seeking to entrench the Union, in spite of the all-island dynamics of the Good Friday Agreement.

This exercise, played out in the bilaterals, is essentially about plugging holes in the initial draft, which left the relationship with Westminster too much of a hostage to fortune. Neither draft — not even the final one — takes cognisance of the fact that the concept of sovereignty over the Six Counties has changed inalterably. However, the draft document presented to the Committee on 30 October, and currently before the Assembly, represents a clear shift away, in spirit and in substance, from the essential implications of the Good Friday Agreement for Westminster's relationship with the Assembly. It is these implications, and their constitutional significance, which profoundly distinguish this Assembly from what is planned for Scotland, Wales and, indeed, England — something with which the Unionists in the Committee refused to deal.



It is for that reason that we had their attempts in the bilaterals to rewrite the draft in the same way as they attempt to rewrite the Good Friday Agreement. The amendments are tied up with their anachronistic political assumption — the assumption of Thatcher — that Belfast is as British as Finchley. It is not. We have moved on, a Chathaoirligh, and the Devolution Committee at Westminster in its press release, which became the remit for this Ad Hoc Committee, recognised that.

That is why they sought our comments. That is why my party objected to the Unionists' conclusions, which refused to recognise that sovereignty is redefined by the Good Friday Agreement and that this addition to the previously agreed draft was, and still is, unnecessary.

In spite of the Committee Chairman's assertions that there was agreement on the report — there was, in many instances — it was not unanimous. It would therefore be in the best interests of the Committee and of the Assembly to refer back to the Committee a number of issues arising from the report so that unanimity could be reached before it is sent to Westminster.

I too pay tribute to the Chairperson and to the Clerk for his very hard work, late hours and the manner in which he provided us with all the necessary documents. Go raibh maith agat a Chathaoirligh.

**Mr Close:** I recall the Assembly's meeting on 5 October, when the Committee presented its interim report. Mr Peter Robinson asked me if I was confident that the Committee could produce a good report by the new deadline. I expressed my hope that a full report, which would be educational and helpful to Members, could be produced by the new deadline, which is today, 9 November. We have met our deadline and produced a full report, which will help Members to understand better the relationships between the Assembly and Westminster.

The report, in its various recommendations, looks forward to full devolution of powers to the Assembly. It clearly demonstrates the necessity to equip those to whom power has been devolved with the necessary authority to exercise it. I therefore caution those who use phrases such as "He who pays the piper". This is not a puppet parliament, nor a Fisher Price parliament. The Assembly will exercise real power on those issues that are transferred to it. And that is the significant part. We will have that right. In fact, we demand it.

This afternoon, when the Minister outlines his priorities on public expenditure, for example, I hope to hear Members' views on how taxpayers' moneys should be spent here. We have the right to determine our priorities and produce the best package for the people. That is part and parcel of the relationship between here

and Westminster. We want to exercise power without undue interference.

The report deals with all the salient issues. We have also earmarked other areas that the Assembly needs to examine. For example, reference has been made to European legislation, an understanding of which is an essential part of political life for us. I believe that the Assembly must have a European Committee, but it will be up to the House to take that issue further. Proper procedures must be established now to enable us to reach fundamental decisions on how to move forward on those areas.

In commending the report to the House, I would be remiss not to pay special tribute to the Committee's Chairman, Mr McFarland, and its Clerk. Together, they led the work of the Committee. They demonstrated, through diplomacy and dialogue, that it is possible to reach understandings and agreements, of which this report is a product.

*11.30 am*

**Mr McCartney:** I had not intended to speak in this debate but I have been so impressed with the plethora of nauseating, self-congratulatory compliments that have been flying about that I find it necessary to inject a note of realism into the proceedings. This Committee was not, as appears to be the case, playing happy families. Its members attended, as I did, having been charged with a particular duty — dealing with the remit.

Much has been said about the great work that is being done and the great endeavours that are being made. A competent lawyer, had he been furnished with the relevant material, could have reached the same conclusions in half a day.

**Mr S Wilson:** What would he have charged?

**Mr McCartney:** The prophet of a magnificent report has asked a question. The answer is considerably less than the salaries of those who were actually involved.

The impression is being given, particularly by Mr Maginness, the Member for North Belfast, that this was a sort of chapel of consensual ecumenism. It was nothing of the sort.

One may oppose, as I most strongly do, Sinn Féin's views — their political objectives as well as their methodology — but when it came to the issues that are important to them, they made it clear what they wanted. They wanted the removal of all the references in this report to the sovereignty of the United Kingdom Parliament. They made no bones about that, and there was a very heated, but honest, debate about the issue of sovereignty. What was most notable was that the party representatives who voted against the inclusion of the



term “sovereignty” in paragraph 9 of this report were not from Sinn Féin (its members abstained); they were Mr Maginness and his colleague Mr Dallat.

The truth is that beneath all this apparently consensual behaviour, other agendas and directions are being constantly pushed. They are being pushed in the direction of a united Ireland by the SDLP as assiduously as by Sinn Féin, but with a much lesser degree of open honesty.

I want to turn to two relevant issues — one being the question of our association with Europe. Those from the pro-Union side who were on this Committee and who were also involved in the trip to Brussels should realise that those on the other side of this Assembly favour Northern Ireland’s becoming some sort of autonomous region within Europe and being entitled to a direct input.

Indeed, the silliness of this argument, in its most extreme form, was advanced by Mr Farren, who failed to realise that the only people who can make a direct commitment are the member states, and there is no member state entitled “Northern Ireland”. A fatuous and irrelevant association with the regions in Europe, particularly the German Länder, was advanced at one of the meetings that we had with a member of the European Parliament, Herr Brock. He made it quite clear that there was a fundamental distinction between a unitary sovereign state with devolved mixed legislatures and a federal government such as the Federal Government of what is now a united Germany.

All the time, however, despite the appearance of consensus, people were pushing their own agendas and pushing hard for a united Ireland. Let no one be mistaken about that. Something else which will become increasingly apparent to Members of the Assembly who are not part of the central caucus is the enormous amount of mutual back-scratching and self-congratulation that is going on in the two major parties who appear to think that they can run the Assembly on their own and that all the other parties are irrelevant. That will not be the case, but that will not prevent them from trying to make it happen. Excitement at the prospect of office is causing one party to suffer convulsions, and, no doubt, the other is about to become epileptic.

Members should have no doubts about the intended purpose of this report. Northern Ireland is part of the United Kingdom and will remain part of the United Kingdom, and we should endeavour to ensure that this situation is permanent. Those people, supposedly on the pro-Union side, who are pussyfooting around with arrangements designed, apparently, to keep them in a position of power should be conscious that this is not possible, because decommissioning and other related issues are, beyond any doubt, not part of the

Agreement. They are not in the Agreement because some people were prepared to acquiesce in a dishonest process. This Committee, to a very large extent, reflected that problem.

The report, however, does state relatively clearly what the Committee’s response to its remit was. That remit was not particularly complex; the Committee looked at those powers which were transferred to the Assembly, those powers which were excepted and reserved to Westminster and at the question of the future handling of business currently dealt with by bodies at Westminster.

The report deals with these matters adequately; Mr McFarland was a tolerant and understanding Chairman, and the Committee Clerk was assiduous, efficient and courteous at all times, providing a great deal of assistance to the Committee. However, we should not persist in the nonsensical belief that members of Committees are involved in a prodigious volume of work.

I attended meetings of this Committee as frequently as anyone; I participated in the Committee’s debates as much as any member — if not more — but I cannot pretend that I was burdened with an enormous amount of work, nor was I required to expend a vast amount of intellectual energy.

I commend this somewhat less than magnificent report to the House.

**Mr Ervine:** I would like to pay tribute to the Chairman of the Committee. Even though the report’s findings did not receive unanimous support, he was certainly unanimously elected as Chairman — a first time for that. He conducted those proceedings which I attended very well, and he was ably assisted by the Committee Clerk who also deserves credit for his work in the short time that we had to put this report together.

Unfortunately, I detect a sense of resentment in relation to this report — resentment that, I fear, comes from Sinn Féin, who are almost suggesting that this report is not in the spirit of the Good Friday Agreement. But to do so is to miss the most important part. Northern Ireland shall remain part of the United Kingdom for as long as the greater number of people wish.

This fact is reflected adequately and of necessity in this report; it is about the creation of a tier of government and how it fits into that tier of government which undoubtedly has primacy, and that primacy is clearly identified, not only in the Belfast Agreement, but also in our work and the fact that we have a Secretary of State. Sinn Féin’s apparent self-denial of all these things is a form of resentment from which they would do well to move away.

On the basis that I have been sold out, I am delighted to hear that Northern Ireland is going to remain part of the United Kingdom. Hansard will show that Mr McCartney said so. Of course, he would.

The establishment of the Northern Ireland Assembly provides the opportunity to exercise power locally through the Belfast Agreement, within the context of the sovereignty of a Parliament at Westminster. This Committee had a job to do in terms of how we are to fit in and how to create circumstances where this could be seen as the first salvo perhaps, the first in the establishment of a two-way street between Westminster and Belfast. Such conditions will not weaken the umbilical cord; they will strengthen it.

This will not be the only umbilical cord; one will also be connected to Cardiff, to Edinburgh and to Dublin, and these will begin to deal with healing the relationships that have been fractured over many years.

This is a recommendation — a recommendation that will land on the desks at Westminster, and it will be decided on by those who have sovereignty. All we can hope is that they pay attention to what we want to achieve. By recommending this report we are saying here is a Belfast that wants to prosper, here is a Belfast that wants to do well, a Belfast that recognises that it has to have stronger relationships, not weaker.

This Assembly is devolved — not divorced — from Westminster, and some Members must pay serious attention to that fact. They will have to make all the facets of the Belfast Agreement work. Are we accusing Sinn Féin as they have accused us in the past, of being *à la carte* in relation to the Good Friday Agreement? It is time for Sinn Féin to wake up and play a serious role — this should have been a unanimous report. I hope that Sinn Féin will reflect and amend their attitude to what, I think, is a very good report — a report which is the first salvo in the strengthening of the umbilical cord between Belfast and Westminster.

**Ms Morrice:** Many Members seem to have become confused about what the Committee set out to do. I would like to refer to the points made by Mr McCartney, Mr McCrea and Mrs Nelis about devolution.

Good Friday Agreement or not, devolution, whether in Northern Ireland or Scotland, equals a dilution of power. There is no getting away from that fact. Devolution means diluting power at the centre and transferring it to the regions. It means strengthening the power of this Assembly in Northern Ireland and strengthening the power of the people of Northern Ireland. For some reason we have not yet grasped the full meaning of devolution. Mr McCartney referred to the German federalist system, but devolution within the United Kingdom is in a United Kingdom

context. It could be seen as a first step towards federalism, towards confederalism or towards subsidiarity.

*11.45 am*

We have to appreciate that devolution is a dilution of power.

Mrs Nelis said that sovereignty has been redefined by the Good Friday Agreement. I disagree. Sovereignty has been redefined by the Labour Government's handing over power to Scotland, Wales and Northern Ireland, with or without the Good Friday Agreement. We must open the doors of Northern Ireland and let the moths out. What we are talking about is devolution of power within the United Kingdom, not divorce — dilution to strengthen our hand and the hand of our people. That is the important point.

**Mr Paisley Jnr:** Would the Member accept that dissolving of power is not the point in question? It is the transferring of powers to a different region that we are talking about. We are not dissolving power, we are transferring that power to be administered by the people of this region.

**Ms Morrice:** Mr Paisley agrees with what I said. We are dissolving and diluting the power at Westminster and strengthening the power in Belfast.

**A Member:** Delegation.

**Ms Morrice:** No. The power of Westminster without any doubt is being lessened, and the powers of Belfast, Cardiff and Edinburgh are being strengthened. Let me move to the point.

I want to respond to certain points that have been made in the Chamber. I apologise for not initially commending the report, the work of the Chairman, Mr McFarland, and the Clerk, Mr Reynolds, and my colleagues on the Committee for contributing constructively to the debate.

Mr McCartney did not want to state that he was working hard, but we had to work hard to respond to many of his contributions. He suggested that Northern Ireland is part of the United Kingdom and will remain so. However, we must also remember — and this is a point that has been raised before but not by certain other Members — that Northern Ireland, Great Britain and the Republic of Ireland are parts of the European Union. In talking about the United Kingdom's devolving power, we have to appreciate that not only is power being devolved from Westminster to Belfast, it has already been devolved upwards from Westminster to Brussels. There are three stages of the devolution process.

**Mr A Maginness:** Would the Member agree that the concept of sovereignty that has been much bandied about this morning as it was in the Committee, is an outmoded concept? Sovereignty as such, in the latter part of the twentieth century, does not exist. If you are a member of NATO and the European Union, if you are a signatory to the European Convention on Human Rights or any other international conventions, you have in effect, pooled sovereignty with other bodies, other countries and other communities. Therefore, the concept of sovereignty is outmoded and old-fashioned and should be jettisoned.

**Ms Morrice:** I am grateful to the Member — it might be excessive to jettison the concept of sovereignty, but I totally agree that the idea and the nature of sovereignty is changing as we move forward in a new world where there is new thinking and more democracy.

To jettison it might be to let go too quickly. We need to understand the new forms it will take and the new allegiances, and powers and procedures that will flow therefrom. I am delighted that this debate is actually covering issues that go far beyond the borders of Northern Ireland, setting Northern Ireland in context within these islands, within Europe and within the world. It is valuable that the debate is, rightly, going in that direction.

My last point concerns what I would call the “nearly all-party” agreement in the Committee. I am disappointed that a full consensus was not reached. It was a very valuable working experience for us as Committee members, and while we did not reach a consensus, we all listened to each other and took on board what others were saying. Nobody walked out, and nobody stomped out, and there was no anger. We arrived at a report which will guide us forward in the future.

I underline issues such as European legislation, which the House should examine in the future. Mr Foster made a valuable point about the important role Europe has played. We should look at how we relate to Brussels. This will be very important. Mr McCartney suggested that it was silly to consider this, that we could not go directly to Europe. We have a direct flight to Europe, which 90% of the representatives here used last week. We can go directly to Europe, formally or informally.

I commend the report and the “nearly all-party” agreement, and I thank my colleagues for their work.

**Mr Hussey:** I rise at the risk of becoming another political pygmy in the “cycloptic” shadow of Mr McCartney — but then a Cyclops has only one eye.

I pay tribute to Mr McFarland and thank him for the capable way in which he led us through our work. I also thank Joe Reynolds, the Committee Clerk, who was

brilliant at getting materials to us in time, in spite of the problems we have in the west with the post. But perhaps that will be dealt with at another time. I also pay tribute to those with expert opinions who attended our deliberations and informed us. I congratulate all members for the way in which they approached the task that was given to us. Our remit was relevant to both the Northern Ireland Assembly and the United Kingdom Parliament.

I will return later to section 9.

With regard to recommendation 17, I hope that Questions on Northern Ireland will continue to be taken every four weeks. The period for Questions has been reduced from 40 to 30 minutes to take account of devolution. This body does not wish to see that period reduced any further, because it remains important that our Members of Parliament at Westminster have adequate time to scrutinise the actions of the Secretary of State, particularly on reserved and excepted matters.

Paragraphs 20 to 24 of the report should be considered in conjunction with paragraphs 37 to 41. Here it is emphasised that there is still work to be done. The report suggests an evolving situation.

On the European issue the report describes how we have an input into the internal workings of Westminster on Europe via the Select Committee on EU legislation and the two European Standing Committees. This was not mentioned in the report, but it has certainly been mentioned in debate. I believe, Mr Initial Presiding Officer, that you have been made aware of this Committee’s concern. It would be right for us to retain a high-profile regional influence. I accept that direct input is by way of our sovereign Parliament, but it is certainly vital — I am sure that all who were in Brussels last week would agree — that we must retain a high regional influence. That is something which the Assembly must take on board.

I wish to conclude by referring to section 9. The concept of sovereignty, when taken within a European context, is quite interesting. The French, for example, have their viewpoint on sovereignty, even though the European Union would have certain considerations for the whole of Europe. Perhaps we in the United Kingdom could learn from the French and be prepared to take a stand on behalf of our people.

Sinn Féin’s admission that it viewed the addition of the extra sentence as a tightening of the relationship between the Northern Ireland Assembly and Westminster — with the retrenchment of the Union — is quite interesting. The additional sentence is, I am sure, in the opinion of those on this side of the House, and perhaps others, merely a summing-up of the facts which were expressed in the preceding part of section 9.



In Committee I asked if the previous part of section 9 was acceptable to everyone. The reply was that it was acceptable. I would ask Members to read the second last sentence.

**Mr Paisley Jnr:** Does Mr Hussey accept that in paragraph 41, we not only have the statement of sovereignty, but also the implication of sovereignty? More power is going to go to Westminster, and there will be a greater role for Westminster because it is proposed that a Committee on Regional Affairs be established to scrutinise even further the powers that are now to be devolved to Northern Ireland, Scotland and Wales.

**Mr Hussey:** I can only agree with Mr Paisley.

Sinn Féin's main concern was with the absence of a reference to the fact that the establishment of the Northern Ireland Assembly provides the opportunity to exercise power locally. Sinn Féin was determined that reference should be made there to the Belfast Agreement. After deliberation and adjournment it was agreed that a reference to the Belfast Agreement could be included, and then the goalposts were moved. I do not know why — I have my suspicions. Also, Sinn Féin did not vote against this addition. Why not? I would point out that on a word count 99.5% of this report is acceptable. That is a much higher rate of agreement than we have had on other things.

I commend the report to the Assembly.

**Mr S Wilson:** I would like to thank the Chairman and Clerk of the Committee for the way in which they conducted the business of the committee and for steering us towards what I believe — despite what Mr McCartney, who is now absent, may have said — is a magnificent report. Magnificence can be measured in a number of ways but according to the dictionary it can be judged by the greatness of the achievement of a particular issue or document.

Using that criterion this is a magnificent report. To deal with complex issues in only 13 pages is quite an achievement. *[Laughter]*

12.00

It is magnificent in that it addresses all the questions that the Committee was asked to deal with. That would be quite an achievement for any politician. As my colleague Rev William McCrea has said, the report emphasises the primacy and the sovereignty of the United Kingdom Parliament. Item 8 of the minutes of the proceedings of the Committee of 30 October states

"The Chairman then proposed that the Committee accept the revised Report as the final Report of the Committee."

Although some Members absolutely oppose the word "Westminster" crossing their lips, the document says

"It was agreed unanimously."

I repeat that the report is magnificent.

The DUP approach was to set out clear objectives and, unlike Mr Foster, we did not lose our focus. One objective was to make sure that any change in procedures at Westminster as a result of devolution in Northern Ireland, did not diminish Northern Ireland's position within the United Kingdom. The report is permeated with the fact that Westminster retains sovereignty over Northern Ireland, and that has been agreed.

Sinn Féin realised rather late, when it had considered all aspects of the report, that the sovereignty of Westminster remains. I suspect that if target words that always trigger responses in the minds of Sinn Féin had been omitted, it might not have noticed that at all. When it saw the words in paragraph 9 —

"remain the preserve of the Parliament at Westminster, include such matters as sovereignty" —

dissension started to appear. However, as Mr Hussey has already said, the whole thrust of the paragraph before comment was that the Westminster Parliament is sovereign. It states

"The provisions of the Northern Ireland Bill explicitly emphasise that the United Kingdom Parliament retains the power to legislate on any subject throughout the United Kingdom."

It concludes

"Consequently, the establishment of the Northern Ireland Assembly provides the opportunity to exercise power locally through the Belfast Agreement within the context of the sovereignty of Parliament at Westminster".

The only part that Sinn Féin disagreed with was that little phrase, but when voting on the whole report it voted on it all. That is a magnificent achievement.

Mr McElduff had a bad weekend. He took on a Dutchman in Brussels. Irish Republicans should have learned that, whether it be 1690 or 1998, they should not take on the Dutch. He did not follow the party line but engaged in antisocial behaviour in Brussels, and I am amazed that he has not ended up in a wheelchair the same way as Martin McGuinness.

Let us look at the relationship between Westminster and the Assembly. There is the ability to question the role of Committees and our roles in finance and legislation. The report recognises that the Assembly will have the authority to deal with those matters, as one would expect with devolution, but overall power will still reside at Westminster.

There was no dissension about paragraph 17, which says

"A period for questions on Northern Ireland ought to be retained at Westminster".



Westminster will still have its finger on the pulse.

According to paragraph 13, while transferred matters will be dealt with primarily by the Assembly, there will still be provision for Questions to be asked in the House of Commons. Of course, as one would expect, the Questions will then be referred to the relevant Minister in Northern Ireland, and the answer made available to MPs at Westminster. Westminster's role in scrutinising and questioning what happens in Northern Ireland has not been diminished.

Paragraph 24 recommends that Committees should retain the ability to examine expenditure, administration and policy matters. However, an Assembly Committee dealing with a specific issue should not be duplicated in the House of Commons. That is a sensible recommendation.

We have said

"There should be a review of the Select Committee system to prevent duplication of the work of the devolved legislature."

But those Committees will still have the same role as they have had previously. With regard to finance. For example, paragraph 29 says

"Westminster should retain responsibility for oversight of the appropriation of funds into the Northern Ireland Office budget".

Of course, one would expect that. The scrutinising of individual matters could probably be dealt with in greater detail by an Assembly public accounts committee, but financial scrutiny will remain at Westminster.

In terms of legislation, paragraph 31 says

"the United Kingdom Parliament retains the power to legislate on any subject throughout the United Kingdom."

Paragraph 32 says

"Whilst it will remain possible for any Member at Westminster to propose a Private Member's Bill on any matter".

It will still be possible to do this, although it does say that past experience suggests that it is not likely that many such proposals will become law.

We have indeed produced a magnificent report and, as Mr McCartney has said, with the minimum of effort. I contend that it was produced at significantly less cost than his lawyer friends would have charged had they been asked to produce it.

**Mr McElduff:** Go raibh maith agat as na focail deasa sin.

**The Initial Presiding Officer:** Order.

**Mr McElduff:** A Cheann Chomhairle, nílimid ar aon intinn amháin, ní gá a rá. Caithfidh mise a rá nach bhfuilimid ar aon intinn amháin, go háirithe sa dóigh ina bhfuil na páirtithe éagsúla ar an taobh eile den

seomra ag iarraidh neamhaird a dhéanamh de Chomhaontú Aoine an Chéasta. Ach, sin mar atá.

I want to support Mr Alban Maginness's assertion that this is not an agreed report in that the substance of the report has not been agreed — there was an absence of consensus. I commend the Chairman and the Committee Clerk for the way they presided over the meetings, and I want to reiterate the point that it was difficult for many Members to focus on the precise remit.

I will keep my comments brief. I want to underline issues raised by Mrs Mary Nelis, our group spokesperson. We constantly and consistently objected to attempts by Unionist participants in the Ad Hoc Committee for comfort blankets to be extended to them — trying to have the umbilical cord of Westminster written in, line after line.

No Nationalist member of the Committee sought any such comfort blanket. When a vote was taken — and this is crucial — no Nationalist supported the report or its contents. I ask for a ruling from you, a Chathaoirleach, as to whether a vote on this report should be taken in the Assembly today. Sinn Féin's preference is that this report should be referred back to the Committee for further examination in the hope of arriving at consensus eventually. Clearly we have not got this as yet. Sin an méid atá le rá agamsa ar an ábhar sin. Go raibh míle maith agaibh.

**The Initial Presiding Officer:** Let me say something about a request that has now come forward for a second time — initially from Assembly Member Mrs Mary Nelis and now from Assembly Member Mr Barry McElduff. The only procedural way to take matters back would be for the Chairman of the Committee, Mr McFarland, to withdraw the motion or for the Question not to be put.

It is not possible to ask for individual matters in the report to be taken back. I make this point because in other forums where Members operate — in local government, for example — this is often a practice, but there is no procedural means of doing that here at present.

In terms of any other motions in respect of particular matters being brought forward, it is now too late to put down any amendments. Therefore the only way in which the matter could be discussed by the Assembly is by leave of the House, which means by unanimous agreement of those who are present. These are the only ways in which the matter could be dealt with.

As to the question of there being a vote, of course there will be a vote. This is a motion, and there will be a vote. When the Question is put, it will become apparent whether a formal division is necessary, but this

is a motion to accept the report, and therefore there will be an opportunity for the House to give its view.

**Mr P Robinson:** The representative from the Women's Coalition, Ms Morrice, said that we should all understand what devolution was and then went on to display ignorance of what it was. She seems to have a misconception about power and authority, about dissolving — although I am not quite sure what she meant by that — or delegating authority. She took umbrage at my suggesting that devolution was about delegating authority, but that is precisely what devolution is about.

*12.15 pm*

The day after devolution happens, if it does, power will still reside, technically and legally, at Westminster — delegated authority may come here, but the power will still reside at Westminster.

First, it is important to deal with the split personalities in Sinn Féin. Sinn Féin Members were among those who applauded this report in the Committee. They agreed it, along with every other member of the Committee. The record is clear:

"The Chairman then proposed that the Committee accept the revised Report as the final Report of the Committee; it was agreed unanimously."

There appears to be some ineptitude on the part of those representing Sinn Féin on the Committee. They agreed to something that their betters outside the Committee do not agree to, and they are raising smoke to hide their embarrassment. They agreed the report, and it will be interesting to see if they have the support of other Sinn Féin Members when it comes to the vote, or whether they prove that some of them are "not fit to be allowed out on their own" — a phrase which, I think, was used on the BBC.

There are three issues that arise from the report. I come more from Mr McCartney's position — I do not think there is anything magnificent about the report. To say it is magnificent because it is 13 pages long, stretches the notion of magnificence.

**Mr S Wilson:** Succinct.

**Mr P Robinson:** On that basis it could have been even more magnificent. However, there are considerable improvements in this final report from an earlier edition. Colleagues in my own party, and in other parties, are to be congratulated on the clawback achieved in the later Committee stages.

I want to deal, in particular, with three issues — questions in the House of Commons, Committees dealing with Northern Ireland in the House of Commons, and financial accountability in the House of Commons. As far as Questions in the House are

concerned, the report makes it very clear — and I want to put this interpretation on the record — that questions on transferred matters are primarily for the Northern Ireland Assembly.

The use of the word "primarily" indicates very clearly that it is not a matter exclusively for the Assembly and, therefore, Questions on transferred matters can, and should, properly be asked at Westminster. It may be that the Secretary of State will be restricted in what she, or a future he, may say on the issue, referring it to the appropriate Minister in Northern Ireland and tabling, for the record, the response given.

That is not any different from what happens when questions are asked on the activities of the various agencies. The response is tabled in the Library and, on some occasions, included in Hansard. The issue of questions is, therefore, dealt with adequately in the report and indicates an ongoing role for the House of Commons.

I am sure that the Ulster Unionists will be delighted with this ongoing role. All the SDLP Members of Parliament are in this Chamber and, therefore, entitled to ask questions; all the Democratic Unionist Members of Parliament are in this Chamber and entitled to ask Questions; the United Kingdom Unionist Member of Parliament is in this Chamber and entitled to ask questions; and the two loyal Members of Her Majesty's Opposition from Sinn Féin, although they have not taken the oath as yet, are also in the Chamber.

Of course, two Members of the Ulster Unionist Party are in the Chamber as well. They are entitled to ask questions, and I am sure that they will be rooting for the six Ulster Unionist Members of Parliament who are not in this Chamber. They would want to give them a full role in scrutinising what is happening in Northern Ireland and also give them the opportunity to ask questions of the Ministers who will be responsible for the various Departments.

The report quite properly suggests that the role of the Northern Ireland Grand Committee will be considerably reduced, and that some consideration will have to be given to its future life. Unlike the Select Committees, the Northern Ireland Grand Committee does not have any real scrutiny role, and it may become redundant.

A Select Committee is very different. I am glad to see that the report makes it clear that the only restriction that would be considered in relation to the Select Committee's role is on duplication. I assume that means that if the Assembly were considering roads issues in some committee, a Commons Select Committee would not consider those same issues at the same time. Such duplication would be quite unnecessary. If bodies are looking into various aspects of Northern Ireland life, the

Select Committee will stay away from those issues — at least until reports have been issued. Therefore I do not think that there will be such duplication.

There is a need for a good relationship to be built up between the Assembly and the Select Committee so that each will know what the other is scrutinising and examining. Here again, the Committee has made a good fist of its recommendation in relation to the Commons Committees. I have some difficulty in relation to the financial scrutiny arrangements. I remind Ms Morrice that there is a difference between delegating authority and exercising the authority that has been delegated, and the right of Parliament to scrutinise what has gone on. Delegated authority can be fully exercised, but that must be subject to scrutiny.

Scrutiny is especially important in the context of the kind of governmental arrangements in the Assembly, where effectively there is either no Opposition or a fairly limited one, because most of the parties enjoy some governmental authority. In the absence of a full-blown, full-time Opposition, there is an excellent scrutiny role for the Select Committee at Westminster.

**Mr McCartney:** Does the Member consider that last week's revelations by the Audit Commission in relation to the Industrial Development Board and the misinformation that was being provided to the public to aid the political progress of the Northern Ireland Office are typical examples of what he is concerned about?

**Mr P Robinson:** Yes. It is hard to predict what might happen after devolution. The Opposition might consist of the Back-Benchers from all parties. They may scrutinise what ministerial teams are doing or they may not. They may refrain from going too far in case that makes life difficult for a colleague. Continuous scrutiny of finances is essential, and that is the one area on which there is a slight weakness in the report.

**Mr Molloy:** I wish to speak about this word that has been raised once again today — permanent. I want to draw attention to Mr McCartney's assertion that sovereignty remains permanently at Westminster. He will be aware that in the Good Friday Agreement there is provision for a referendum the outcome of which would decide the future constitutional position of this country. It is up to the people of Ireland alone, and without outside impediment, to decide upon the future relationships and independence of the people of Ireland. Sovereignty is no longer permanently based at Westminster — that all changed as a result of the agreement reached in Belfast on Good Friday.

Mr Maginness made the point that the notion of the sovereignty of Westminster is outdated, and I agree that it is, and that is a good reason for not including the issue in this document. Mr Maginness will know, as he is a lawyer, that should we include sovereignty as an

issue in this document, reference will be made in the future to the fact that we put it there. This is the basis of Sinn Féin's objection.

Not only is sovereignty an outdated issue but it must be borne in mind that sovereignty no longer rests totally with Westminster. Sovereignty is now shared with Dublin with the cross-community support of the Assembly.

Unionists are confused and have been for some time. They have no confidence in themselves and want to rely completely on Westminster to oversee and to look after them. They have no confidence in making decisions here and standing over them as they have done in the past.

Mr Wilson referred to the issue of scrutiny. We have learnt from the past — prior to 1968 there was no scrutiny of the old Stormont. We have to ensure that there is scrutiny in order to help prevent the danger of slipping back into the old Stormont and the bad old days that we all remember — fifty years of Unionist misrule in this very Chamber.

We Nationalists also remember that Westminster did not do its job — it did not scrutinise properly — and so Sinn Féin wants to ensure that Dublin has a role in scrutinising the Assembly and making sure that it operates as set out in the Good Friday Agreement. Also, we see the European Community having scrutiny — through human-rights legislation — to ensure there is no discrimination against the Nationalist people in the way there was before.

Unionists should not delude themselves any longer that sovereignty from Westminster is permanent. Once Scotland gets independence, once Wales goes for independence and once England returns to its pre-colonial position, as it will, we know exactly what we are going to be faced with — the break-up of the Union.

The Union is no longer safe, and that will become quite clear with the advent of devolution. Unionists should catch themselves on and come to the Assembly with confidence in their own arguments. If they have not got confidence, they should debate matters outside in order to build confidence. Let them come here and ensure that devolution will see the break up of the Union as we presently know it. We will see this come about within the terms of the Good Friday Agreement, and Sinn Féin is here to debate with them.

**Mr McGrady:** I thank the Member for giving way. Much has been said and a very esoteric debate has taken place about the issue of sovereignty. Much profound wisdom has been extolled but, at the end of the day, does the Assembly Member recognise that we are voting on the recommendations of the report rather than debating the wording of the paragraphs and



inscriptions. Under the heading ‘The Key Principles’ the Committee recommends that

“Following devolution, transferred matters ought to become essentially the preserve of the Northern Ireland Assembly.”

Will the Member confirm that that recommendation is acceptable to him?

**Mr Molloy:** I thank Mr McGrady for his intervention. Sinn Féin’s point is that this is not an agreed document. We are asking that it be referred back to enable us to come to total agreement.. We should go back to the drawing board to see if we can produce a document which can be agreed by all Members.

12.30 pm

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. Does the motion not say that we approved the report in its entirety, not just its recommendations?

**The Initial Presiding Officer:** It is the report.

**Mr Molloy:** I again return to Mr McGrady’s point. Many changes have been made to the report, and the wording of the document will come back to haunt us. That is why it is important that we agree its wording before forwarding it as an agreed report, which it is presently not.

**The Initial Presiding Officer:** The Chairman of the Ad Hoc Committee indicated that he had written to me on a number of matters which the Committee discussed but viewed as outside its remit. As requested by the Committee, through its Chairman, I have agreed to take appropriate steps to try to ensure that these matters are properly dealt with by the Assembly through its procedures.

**Mr McFarland:** All those Members who harbour a secret desire to be a Committee Chairman when the Assembly gets running, will have had a flavour today of what lies ahead of them.

I thank Members for their good wishes and, in particular, for the unaccustomed pat on the back from Mr McCartney, and his good grace on this occasion. I am not used to these things, as Members will appreciate.

A couple of matters need clarification, and they are concerned with the way in which the Committee operated. For example, Mr McCrea raised the question of draft changing. I would argue that this is what committees are about. A committee deliberates on different drafts brought before it, makes a decision and changes wording. That is fair and valid. To portray it as removing things that were awkward is not a fair reflection of what happened.

The second matter is the question, which Mrs Nelis raised, of things changing. The Committee had a number of meetings, and it was taking a lot of time because there were 18 members and many wished to speak. We were not progressing towards our deadline as fast as we wished and, therefore, it was decided that I, as Chairman, would hold a series of bilaterals to try to encapsulate the essentials of the report. This meant that at our last meeting we would only have to deal with those areas requiring a final decision.

As a result of these bilateral meetings, a sentence was included — and it has been raised today — at the end of paragraph 9. In my view, this was valid because the parties had raised it. It was equally valid for Sinn Féin or, indeed, any other party, to object to this. We had a very lengthy debate on it on Friday week ago. We tried all sorts of methods to come to an agreed form of wording, and in the end we could not do that. It had to go to a vote, which was carried. Sinn Féin abstained, and the SDLP felt that it could not support the report. I think, in its defence, that it did not object to the wording, but sought an agreed wording.

My recollection, which is reflected in the minutes, is that I sought confirmation that the Committee wished the report to go forward as an agreed report, with the caveat in paragraph 9 that the decision had gone to a vote. As I recall, all the members there said “Yes”. There was no dissension or question of revisiting the matter. It would bode ill for the Assembly’s Committee system in the future to keep going back to things when there is disagreement with words here and there. If Members want to go through Committee work word by word, it will mean several years of work.

The secret of operating a good Committee is that the Clerk and the Chairman do all the hard work and that the members have it presented and make the decisions. In our Clerk’s defence, I do not think he would agree with Mr McCartney that no hard work was done.

With my Committee hat off momentarily — I hope that this will not have the effect that Mr Adams’s saying “Well done, David” had on my party — I would like to commend in particular Mr S Wilson for shedding the light of reason amidst the Democratic Unionist Party.

I commend this magnificent report to the Assembly.

**The Initial Presiding Officer:** I hesitate to bring this to the attention of the House again, but could I request that those Members in possession of incontinent pagers and telephones please try to do something to keep them in order. It is most off-putting, particularly when Members are speaking, and discourteous. I would ask you to leave them outside, put them on vibrate mode or put them off, but please do not disturb the Assembly.



Mr McCartney: On a point of order, Mr Presiding Officer. May I suggest that it is not put in the form of a request but that there is a positive ruling that these telephones are not permitted inside the Chamber, otherwise you are always going to be prone to some Member forgetting to turn it off or deliberating leaving it on. They should not be allowed inside the Chamber or, indeed, inside the working Committee rooms.

The Initial Presiding Officer: Actually, Mr McCartney, there is already a ruling in that regard. It makes it very clear that they are not to have them in here switched on. The difficulty is that when Members transgress they usually, when it is drawn to their attention by the sounding of their device, quickly leave the Chamber, so I am not even in the position to send them out.

**Mr McDonnell:** Mr Presiding Officer, on a point of order. Would it be possible for you to impose a small fine on those who offend? I suggest £10, which could go towards the medical students upstairs.

**The Initial Presiding Officer:** I am grateful to a fellow County Antrim man for coming up with what one might expect from someone from that part of the world. This is really a matter for the Standing Orders Committee, but if intrusion persists I will have to take some measures. If fines are imposed I shall have to decide where the money should go.

No petition of concern having being tabled under Initial Standing Order 12.5, the decision of the Assembly will be judged under Standing Order 12(1) — that is to say by simple majority.

*Question put and agreed to.*

*Resolved:*

That the Assembly approves the report prepared by the Ad Hoc Committee on the Procedural Consequences of Devolution and agrees to forward it to the Procedure Committee of the House of Commons.

*The sitting was suspended at 12.40 pm.*

*On resuming —*

## COMPREHENSIVE SPENDING REVIEW

2.00 pm

**The Initial Presiding Officer:** Members will have received a paper on the comprehensive spending review and will have had an opportunity to peruse it. After the Minister presents his proposals arising from the review to the House, Members will have an opportunity to put questions to him. Members should restrict their questions to the subject matter of the presentation. They will only be able to ask one question, and that should be as brief as possible. Members should not make speeches or extensive statements — we want to give as many Members as possible the opportunity to put questions to the Minister.

**The Minister of State (Mr P Murphy):** Mr Initial Presiding Officer, Members of the Assembly and friends, I would like, first of all, to say that if I am seen to take out from beneath this podium a glass containing a transparent liquid, it should not be assumed that it contains gin and tonic, as it might do for the Chancellor of the Exchequer — it contains Northern Irish water. By the end of this afternoon's session, I may need refreshment of another kind!

I am delighted to have the opportunity to talk to you this afternoon about the comprehensive spending review, and about what will eventually be the Assembly's own budget. It is a measure of the distance we have travelled that the Assembly was no more than an idea when the comprehensive spending review was launched last year. Today, the Assembly is a reality, and, next year, it will have responsibility for much of the expenditure which we will be discussing this afternoon. As the elected representatives of all the men and women — and children — of Northern Ireland, Members of the Assembly will be responsible for, perhaps, some £8 billion.

As many Members will recall, I had the responsibility of chairing the final negotiations which led to strand one of the Agreement — namely, the arrangements for the establishment of the Assembly. So it is a great personal pleasure for me to be addressing the elected representatives of the people of Northern Ireland, and I wish them all well in their future deliberations. There will, of course, next year, be elected Assemblies for Scotland and for my own country, Wales, and I hope also, eventually, for the English regions. This great adventure in democracy,

where people are represented by those who live amongst them, represents a tremendous advance.

Perhaps one of the most significant issues with which the Assembly will have to deal in the coming years is the question of expenditure. That budget of £8 billion represents a huge responsibility for the Assembly, just as it currently represents a huge responsibility for the Secretary of State and myself and our Ministerial colleagues. The significance of that cannot be overstated.

Aneurin Bevan, a fellow countryman and a great hero of mine, said, this applies to all political philosophies and certainly to government, that the language of socialism — or, one could say, the language of government — is the language of priorities. The comprehensive spending review, an exercise that was started by the Chancellor of the Exchequer, represents, not just in Northern Ireland but in the country as a whole, the priorities that the Government should have. That is precisely what will exercise your minds and attentions in the years ahead.

What priorities, as elected representatives, should you have? It is important to recognise that when people take the trouble to put a cross against your name, or, in the case of the Assembly, a number against your name, they are supporting you as an individual or as a party, and so there is a heavy responsibility on us to represent them to the best of our ability. The £8 billion which you will have to control when the Assembly is fully established will touch upon all aspects of life in Northern Ireland — health, education, local government, the environment and roads, among other things.

As a result of the comprehensive spending review in the country as a whole, the Secretary of State asked the people of Northern Ireland through their political parties, voluntary organisations, the trade union movement, through businesses and the local authorities what priorities they felt should be dealt with in the coming years. So the consultation on the comprehensive spending review by no means began in the Assembly, but it will end here because the Assembly to which you all belong, has been asked what those priorities might be.

The Government produced a paper, which most of you received in Brussels last week, in which details of their spending proposals are set out. As I said, the comprehensive spending review was the most detailed public examination ever undertaken in the United Kingdom, and Northern Ireland has participated in that. The Secretary of State, my other ministerial colleagues and I have reached a view on how best to allocate the available resources.

In reaching this view, we have also taken into account the funding made available by the Chancellor's economic initiative which was announced in May, the resources that we received from the New Deal, from the Welfare to Work programme and money from Europe, in particular the European peace and reconciliation programmes. There are additional resources earmarked for specific purposes including assisting the unemployed and helping to cement the process of reconciliation.

Government is about priorities, and we have concluded that in Northern Ireland the priorities that we were elected on are essentially no different from the priorities on the mainland — with the exception of the money spent on security, about which I will say something later — which are health and education.

We have come to the conclusion that what matters to people is the quality of life, in particular, how their children are educated, the quality of that education, together with the universality, the significance, the great ability of the Health Service to be able to deal with people's health from the cradle to the grave. That is of vital significance to every man, woman and child in Northern Ireland.

That, if you have examined the papers in detail, illustrates where our priorities lie. You will see that the greatest increases by way of cash, or indeed by way of percentage, are in the health programme, specifically geared to reducing the waiting lists and in schools, specifically geared to lowering class sizes.

Those, coupled with the very significant and important aspect of ensuring that the security of people in Northern Ireland is dealt with properly, lie at the basis of those priorities. That does not mean that the services which are not covered by the health and education budgets are insignificant. Of course, they are not.

When I go round — as I have had the opportunity to do, though less so than my colleagues — and talk to people of all political persuasions in local authorities and elsewhere, they tell me that they also have important local priorities, whether roads, the environment, economic development, or whatever. We have chosen to concentrate on schools and hospitals in allocating the additional money.

There is a difficult question to answer — one which you will be charged with, as, indeed, will the local authorities — and that is "How do you pitch your rate?" There is, unique to Northern Ireland, a regional rate. The rating system has been abolished in Great Britain and replaced by the council tax although there is still a business rate there. You, of course, as an Assembly, when you are up and running, will be in a position to strike that rate in order to raise money to spend upon

services for the benefit of the people of Northern Ireland.

We have assumed, as you will have read in the comprehensive spending review, a specific increase of 8% in the domestic regional rate, which we want to gear towards the huge and difficult problem that all of us jointly face, specifically in water and sewerage. You might think that that is a fairly unglamorous subject to discuss.

This morning my ministerial colleague Lord Dubs introduced his consultation paper on the future of the water and sewerage service. The sewerage system in Northern Ireland needs enormous capital, and one way of overcoming that problem without having to eat into your expenditure on other services is to ensure that the rate is struck at an appropriate level to deal with this particular problem.

The choice, ultimately, is yours. You may decide to increase the rate even more if you want to bring in more money to spend on services which you believe are significant or you may decide to reduce it. If you do reduce it, because there is a ceiling on the amount of money that we are allowed under the block, you will have to find money from elsewhere. However, at the moment we are assuming an increase of 8% on the domestic regional rate and 5·5% on non-domestic rate.

May I briefly touch upon one or two of the issues that I dealt with. When we discuss these matters later, we can go into more detail.

The people of Northern Ireland are entitled to the very best health service that we can afford. The Health Service was born a few miles away from where I live and represent. It is probably one of the dearest things to me as a politician and, I am sure, to you as well. It affects the lives of everybody in Northern Ireland.

Public representatives and people throughout Northern Ireland have indicated that they do not want to see a reduction in the quality of the service offered by the Health Service. You will see, in the figures that you have been presented with, an increase in the amount planned to be spent on the Health Service. That amount does not include the £6 million plus which, last week, the Chancellor of the Exchequer gave to Northern Ireland to deal with the problems of community care.

This is a major commitment to this key service. It will allow hospital waiting lists to be reduced below the level inherited from the last Government. There is an extra £74 million for community-care packages and another £30 million for childcare to safeguard the well-being of children at risk.

2.15 pm

We have completed an exhaustive consultation on the future organisation of the Health Service, and it will fall to you to shape the Service for the health and the social-care challenges of the future. There may be difficult decisions to take, but that is what government is about and what representation is. Nevertheless, health is right up at the top of the agenda, as is education. It is one of my Government's priorities and one of the priorities of those who represent the people of Northern Ireland. These extra resources will improve standards in schools, reduce class sizes, and, very significantly, expand pre-school education which is of vital importance in the mental and educational development of very young children, and can have a significant impact on their educational future.

We have proposed additions for further education, higher education, life-long learning and the Springvale initiative. We have given extra cash for arts, museums, youth and sport and the Odyssey Millennium project.

If we have priorities, other things will not be on the same level. The package contains some reductions on the economic development side. I hasten to add that if this package is approved, £165 million will be spent in that area next year, but it has to be viewed in the context of other things: the Chancellor's initiative, which is vital to the economic development of Northern Ireland, and the welfare-to-work programme, which is a very significant programme in terms of improving the training opportunities for young — and not so young — people. It all adds up to a significant economic development package for the people of Northern Ireland. There is still much to be done, but this is of great significance to the people here and to Members.

Over the next three years we shall put an extra £84 million into the water and sewerage infrastructure to help to address European Union directives on water qualities.

There will also be some reduction in housing expenditure so that additional resources can be released for schools and hospitals. We expect the Housing Association Movement to act in partnership with the Government to bring greater amounts of private finance here. Similarly, a number of capital receipts have come in on housing, and that has helped.

We recognise that the agricultural industry has experienced major difficulties in recent times. Significant additions to the agricultural programme have been proposed to respond to pressures on animal health, food safety, food processing, and marketing — as promised by the Prime Minister earlier this year — as well as to improve the services provided by the agricultural colleges and increase the protection against flooding. It was evident in Brussels last week how

important agriculture is to Northern Ireland's economy — the biggest single industry — and it is very important that we bend our minds to ensure that, as we go into the next century, as much as possible is done to improve and facilitate the agricultural industry here. The figures support that.

Of considerable interest to all Members is the expenditure relating to the Assembly. Here, in Cardiff and in Edinburgh, the two Assemblies and the Parliament must have money to exist. Provision has been made for various costs relating to the Assembly, the Office of the Executive, the North/South Ministerial Council and other costs associated with the Belfast Agreement.

They are not insignificant sums. This year we expect to have to find about £9.5 million for the Assembly alone, and thereafter approximately £14 million to £15 million each year. Those sums will have to be found from the fixed totals in the Northern Ireland block in the same way as for Wales and Scotland.

The targeting social need and policy appraisal and fair treatment schemes are relevant to public spending allocations. Earlier this year the Government relaunched the TSN initiative as new TSN — New Labour, New TSN — with a particular focus on the needs of the unemployed. A review of TSN in each Department is currently being carried out by external consultants. In putting together the spending proposals, we have taken account of the potential targeting social need and PAFT implications. Our policies on higher education and on Springvale, Odyssey and many other areas, such as welfare to work, strongly support TSN.

In the consultation paper we have tried to strike a balance between providing sufficient detail for meaningful consultations and a not too voluminous document. The question is whether the Assembly agrees with the overall shape of the priorities that we have provisionally decided. The overall spending totals are fixed, so any suggestions for changes have to identify gainers or losers. This is an unprecedented consultation on spending plans. It represents the Assembly's first opportunity to consider public spending allocations to programmes. It gives the Assembly an indication of what it will face in the future.

It will be for the Assembly to decide how to respond to what I have said. It may decide that the debate is sufficient, or Members may write to me individually or collectively. We need to complete the process in the next couple of weeks to begin finalising that programme.

I thank the Assembly for the opportunity to deal with the huge problems of prioritisation. In view of all the problems that Northern Ireland has faced over the years



and will face in future, it is a heavy responsibility on me, but it will be a heavier one on Members of the Assembly. That process applies particularly here.

I am not elected by people in Northern Ireland, but Members will be accountable to the electorate here for their decisions. That is what democracy is about. Spending priorities are the core of representing people in a democratic society. I am privileged and proud to have had the opportunity to see democracy in Northern Ireland for the first time in many years.

**The Initial Presiding Officer:** Many Members want to ask questions. I repeat that each will have one opportunity. There must be no extensive statements, and it will not be appropriate to intervene when the Minister is replying. Questions will be taken in batches of six. I shall allow as many as possible.

**Mr Nesbitt:** My question is about the regional rate. The Minister mentioned an 8 per cent increase. That is about £83 million extra to be paid to be paid by ratepayers from a base level of £200 million.

That is an astronomical increase for a particular phase of the water and sewerage system. However, I accept that the expenditure is necessary. Given that we are moving towards resource accounting — costs are allocated over the useful life of an asset — does the Minister think it is fair to charge ratepayers for something which will only be of benefit many years hence? Could we not be more imaginative?

**Mr McGrady:** I welcome the Minister as the first guest to address the Assembly. Like all Members, I welcome the additional finance for health and education.

Let me draw the Minister's attention to the Chancellor's economic package, announced last May. This was understood to be additional to existing resources, yet in paragraph 8 and in other places he says that there is ring-fencing for £130 million. Can he confirm that up to £100 million of this so-called additional money will come from the privatisation of the Belfast harbour — that, as it were, the family silver is being sold off? Will the Assembly be able to express a view on this privatisation? I understand that it is to be rushed through before Christmas. That is a total disgrace.

**Mr Gibson:** I congratulate the Minister on his presentation.

Does he know how welcome the Chancellor's initiative and the £12.5 million of ring-fenced money for the A5 road are? Is he aware that, prior to that announcement, a backlog of work to the tune of £55 million had built up in the western region? Recently, in the House of Lords, the Duke of Abercorn highlighted the sentiments of everyone in West Tyrone

when he pointed out that the region has no ports, harbours or airports. Its lifeline is the A5 — the Londonderry-Ballygawley road — which has suffered from a massive £35 million underspend.

Will the Minister assure the Assembly that the West will no longer suffer financial hardship, that there will be equality of treatment and that the lifeline for West Tyrone will be brought up to the standards necessary for modern commercial, tourist and agricultural activity?

**Ms O'Hagan:** Go raibh maith agat a Chathaoirleach.

Sinn Féin welcomes the opportunity to discuss the comprehensive spending review with Mr Murphy. We have a number of concerns that will be raised in the course of the debate.

The entire document is extremely vague because of its failure to identify current and capital account expenditure. This is especially so in relation to the Law and Order budget which will remain largely unchanged over the next three years. Where is the indication of the clear shift from conflict-related expenditure towards more socially useful expenditure in the light of the different political situation? I ask the Minister to produce for the Assembly a public-expenditure statement that sets out capital and current account expenditure, and includes estimates of tax revenue from all sources.

2.30 pm

Will the Minister confirm that, contrary to media reports, the prison at Long Kesh is to be refurbished, with building work due to start in the next two to three weeks? Will he inform the Assembly about the outcome of the tendering competition for that work? Go raibh maith agat.

**The Initial Presiding Officer:** I said that each Member should ask one question only. However, the ingenuity of Members sometimes ensures that there is more than one route to their question. I appeal to Members to restrict themselves to one question each.

**Mr Close:** I welcome the Minister to what has been called a consultation exercise. I trust that it will indeed be consultation and not purely a cosmetic exercise.

I am perturbed at the proposal to increase the regional rate by 8%. Does the Minister agree that we all have a duty to try to achieve open and accountable government, and that any fiscal measures that are used to provide for an increase in public expenditure should be seen by the electorate to be open and transparent?

I have been involved in local government for 25 years, and I can tell the House that every local authority in Northern Ireland abhors the regional rate. It is a totally nebulous tax, based on assumption, and it is impossible to understand how it is calculated. It is

disgraceful to use it as the vehicle for increasing public expenditure and to restrict this House in such a way. If we are to have open and accountable government, it would be much more satisfactory to have tax-varying or tax-raising powers that are also open and accountable to the electorate.

The Minister said that when he returned home he did not want anyone ringing him up. We will still be here and accountable to the people, and they will wish to know how their money is being spent.

**The Initial Presiding Officer:** Please bring your remarks to a close.

**Mr Close:** The water and sewerage systems are in their present state because of the neglect of previous Governments. A more accountable measure should be used to raise the necessary funding.

**Mr Roche:** I welcome the increase expenditure on education. How will that money be used to address problems in education?

Northern Ireland has record achievements in GCSE and A-level examinations, but, at the other end of the spectrum, significant numbers of people leave education without any qualifications. That means that those people were either insufficiently intelligent or that the schools they attended failed totally in their responsibilities.

Can Members be assured that some of this increased expenditure on education will be used to address that problem?

No matter how the education system develops, we need to retain the excellence of our grammar schools. There is a problem at tertiary level.

**The Initial Presiding Officer:** Please bring your questions to a conclusion.

**Mr Roche:** Northern Ireland has two reasonably performing universities, but they do not have a high status either in the league table of universities or internationally. Therefore they have not attracted the top Northern Ireland students, and that has led to a significant brain drain over the past 30 years. I hope that the increase in expenditure will be directed towards those problems.

**Mr P Murphy:** I am grateful for all the comments that have been made. I will make one or two general points about some of the questions that have been asked. I have noted those Members who asked questions involving constituency details or more technical aspects. I will write to them individually in more detail. Although I am the Minister responsible for finance, I am not the Minister responsible for education and health et cetera. There are policies about which Members need further information and they may rest

assured that they will get information back from the Government on those issues.

However, I will do my best on the questions that have been raised.

I will take Mr Nesbitt's question with Mr Close's because they both refer to the regional rate and to the eight per cent increase to which I referred. Let me repeat that this increase is, as the Government suggest the best compromise we can have to get proper spending on those matters to which I referred – water and sewerage. It is not the only way, however. You cannot, for example, choose to spend less on something else and then spend it on water and sewerage.

You can, of course, choose to spend the rate increase on something else. But no one wants to pay rates. For 10 years I had to get up in my local authority chamber in Torfaen, South Wales, as Chairman of the Finance Committee and present a budget. I always ended by saying that as a consequence of the budget, rates would never decrease. The rates were increased to pay for this and for that.

But it is the second point that is significant. If you tell people that rates are to be used to improve the infrastructure, promote jobs and industry and enhance the quality of their lives, they understand, but they will still not want to pay.

Mr Nesbitt asked if there should be spending now on water and sewerage as the results of such spending will only be seen much later. Capital spending is about the future. We must think of that future. The problem that we are facing, after so many years of neglect, is that the water and sewerage system needs special attention. It is, in many ways, the least glamorous, the least political thing, that you can think about. But it is vital to the infrastructure of society.

Mr Close was saying that the method of taxation which the Government have chosen is flawed. In a sense I agree. The rating system is a flawed system. There are all sorts of difficulties attached to it. The actual amount, however, that is paid by people in Northern Ireland compared to the amount the people in Great Britain pay by way of local taxation is less. It is important that if you have a regional rate, you should determine its value.

In Wales there would be no such rate. There is no income possibility for the Welsh Assembly. In Scotland there will have a tax-varying power. I am not giving an opinion on whether the Assembly should have a tax-raising power. It was not part of the Agreement and in discussions afterwards, there was no enthusiasm for such a power. Thus there is none.

There is the regional rate — the only method by which the Assembly has an opportunity to raise income.

Indeed, were the Assembly to be given the opportunity to raise funds by local income tax — some would regard that as fairer; others would have doubts — such a tax would be imposed in any event, and probably for the same purpose, namely the water and sewerage systems.

It is a flawed systems method, but Members will have to decide, if they do not want to put that rate up, where they will take the money from, if the issue of the water and sewerage system is to be addressed.

On Mr Nesbitt's point about accounting, Government accounting, at present, means that the capital has to be scored up front, and the necessary expenditure has to be funded. He asked about consultation. Lord Dubs will consult the Assembly on the future of water and sewerage facilities in Northern Ireland.

Mr McGrady referred to the Chancellor's economic package and to the fact that it is additional. He was worried about the sale of Belfast harbour. I can confirm, and the Chancellor has also made it clear, that part of this package depends upon the results of the sale of Belfast harbour.

It is unique for the Chancellor to retain the receipts from such a sale; normally such receipts go into a pool and are swallowed up by the budgetary process in Whitehall. That is not the case on this occasion. The receipts are to be ring-fenced and used in Northern Ireland for the infrastructure and the other works referred to. However, it is not true that the harbour will be privatised by December, and it is true that Lord Dubs will consult the Assembly for its views on such a course of action.

Mr Gibson referred to the problems of the west and the difficulties with transport. He welcomed the A5 improvements, but indicated, like many people who represent Tyrone and the west of Northern Ireland, that there is much more to be done. He also indicated that the lifeline of that part of the province depends very much upon a proper road-transport system. He, and others, made that point to me when I visited Omagh Council in the summer, and I understand its significance. I am sure that when the Assembly decides upon packages for transport and roads, that point will be borne in mind. Some of the Chancellor's package will be going to those areas.

Ms O'Hagan referred to a number of issues, some of which I will write to her about, but I will explain the Northern Ireland Office budget in relation to law and order. One of the reasons why that budget has not been reduced in the coming year is that compensation for Omagh and other places has to be paid for out of it.

We also do not know what the outcome of the Patten Commission will be regarding the restructuring of the police force. We do not know what the Criminal Justice

Commission will ask us to do — time will tell. I will just make two points.

First, if the security situation in Northern Ireland improves month by month and year by year, inevitably it could be argued that there will be savings. However, Members will know as well as I do that such savings are most likely to occur in manpower. Redundancy payments and payments related to early retirement will have to be paid for, so it is not so simple. Secondly, the Northern Ireland budget and the budget that the Assembly will eventually deal with, which combined come to some £9 billion, will, after devolution, be separated.

2.45 pm

The Assembly will not, for example, have to pay for compensation. That will fall upon the Northern Ireland Office budget. It will not come out of the budget for housing or education or whatever. Where there will have to be some very difficult negotiations will be with the Treasury, and with the Government centrally, in London on where the division of an overall amount would be made, between the Northern Ireland block on the one hand and the Assembly block on the other.

But Northern Ireland will not be on its own in that because the Welsh and the Scottish will have to undergo a similar negotiation — I was going to call it a battle — as well. Of course, the Northern Ireland budget, by virtue of the security input, is much higher than the budget in Wales and, to a lesser extent, in Scotland.

Mr Roche raised the important question of standards in schools and, of course, it is a huge budget. I dealt with the education brief as a shadow Minister, and for the six months or so that I held that brief, I was deeply impressed by the quality and standards of education in Northern Ireland. At the same time I was unimpressed by the fact that there is clearly more work to be done in many schools in Northern Ireland, whether it be in terms of the school buildings or the equipment they need, the computers that have to go in, and we have already tackled this to a certain extent, the class-size issue. As a former teacher myself, I can say that what is most significant and leads to success in the classroom is the number of children in it: the bigger the class, the less chance a child has. That may be a truism, but it has been forgotten for a long time, and that is why, in my view, the most significant thing that can be done to improve a child's education is to ensure that the class size is smaller.

The future of grammar schools and the education system itself is something that you are going to have to debate in the months and years ahead. We have put into the budget a very large amount of money for the programme to support the schools in areas of social need, for training for primary teachers and for training



for principals of schools, which is very important — when I was young, principals were not trained to manage. We were trained to teach; that is what attracted us in the first place. Now they have to do both, and sometimes no teaching at all. That is a mistake; all principals should teach now and again, as all head teachers should, just to make sure that they understand what is going on. It is very important that principals of schools get the opportunity for such training.

In addition to that, we are looking at a strategy for promoting good behaviour in schools, a development planning process and a host of other things as well. The idea behind all of this is to improve standards in schools so that no matter where your home is, no matter how poor or deprived you may be, the opportunity you get as a young boy or girl is not squandered because of the system and you can develop your potential. That is why everybody, no matter what community or place he comes from in Northern Ireland, believes in the value of education.

**Rev Robert Coulter:** Does the Minister's reference to future security spending levels fully take into account the levels of inflation that have been estimated and the undertakings given by the Prime Minister with regard to potential severance payments for members of the Royal Ulster Constabulary? Is there likely to be up to a £4 million underfunding for the most recent pay award and another cut of around £24 million in current spending at a time when 20,000 troops will, if the present reduction in violence is maintained, be withdrawn?

Would it not be common sense to ensure that the levels of operational policing are enhanced? Would the Minister confirm that the reality is that there is a £28 million reduction in funding?

**Mr Gallagher:** The allocation for home-school transport arrangements does not allow for the present arrangements to continue beyond the end of the next school year. Thereafter, the intention is to charge pupils over 16 for transport to school.

Three years ago the Department of Education proposed a similar initiative which would have severely penalised pupils in rural areas. In my own constituency, some of the pupils would have been required to pay £700 for transport to school. Tampering with school transport arrangements invariably hits pupils in rural areas hardest and is unlikely to achieve worthwhile savings, as some research undertaken in the west of the province shows. Will the Minister withdraw this particular suggestion?

Furthermore, in relation to higher education and the allocation of an extra 2,000 places may I point out that we have to see this in the context of the current year where students have to pay a £1,000 tuition fee and

where maintenance grants have been cut in half. From next year maintenance grants will be replaced by student loans. Students face the prospect of leaving university with a millstone of debt around their necks. It is very discouraging for young people from poorer backgrounds who might progress into third-level education. Is the Minister aware of the concerns that many Members have about future higher education places being available and filled, not on merit, but on the ability of people from privileged families to pay for them?

**Mr Shannon:** My question is in relation to the Water and Sewerage Service. When in opposition, the Labour Party opposed privatization of national institutions. Will the Minister confirm that the current Government now supports the privatization of the Water Service? As I understand it, a paper is being prepared by Westminster civil servants at this very moment. Could it be that the proposed water charges of £35 to £70 per household, is a pay-off for the fat cats? How can he justify that increase? Furthermore, how does the Minister reconcile the double standards that the Labour Party has so very clearly shown?

**Mr Maskey:** Minister, in the spending review you have referred to four key supporting aims and it seems to me that while they are all very worthwhile, they tend to be vague and there is not as much emphasis on targeting social needs, although you made mention of it earlier.

What concerns me is how this can be worked out in practice. Take my own constituency, West Belfast, for example. If it were to be designated a health action zone, then extra resources will be required for the Health Service. Introduction of the Children Order will put greater stresses on the criminal justice system in the area. It may even lead to the closure of one of the homes in the area. Extra resources would, therefore, also be needed in the social services budget.

May I point out that your colleague endorsed, just a couple of days ago, the need in West Belfast. You need to take account of this need in the four key aims and I would like to know how you actually measure social need in a constituency like West Belfast.

**Mr B Hutchinson:** My question is in relation to a lack of clarity surrounding cuts in community development. Minister, you mentioned the Springvale and Odyssey projects. This paper goes on to say there is scope for adjustment to existing urban regeneration community development baselines to help support higher priority projects elsewhere. I think that nowhere could you say that either Odyssey or Springvale has been community led. One is an education programme and the other is a mixture of leisure and other areas. Particularly in relation to the Odyssey project, it could not be said that it is supported from a community



development point of view, by most people in east Belfast.

The Agreement says

“The participants particularly recognise that young people from areas affected by the troubles face particular difficulties and will support the development of special community-based initiatives based on international best practice.”

It concerns me that when we are trying to move forward in the spirit of the Agreement that the Government are now suggesting that we should put our money into projects which are nothing other than Government flagships. Will you clarify and give us an assurance that the Odyssey and Springvale projects will not drain money away from community development projects?

**Ms Morrice:** We welcome the priorities which the Minister has set for health and education, and particularly for pre-school education. I, like Mr Hutchinson of the PUP, am concerned about the ambiguity over whether certain areas of expenditure will be cut in order to accommodate these priorities.

We want to focus on training, which the Minister mentioned. He said that existing programmes could be “reconfigured” to emphasise the new priority given to skills enhancement. I would like to know what is meant by this. In particular, we would like to know whether the Action for Community Employment (ACE) programme, which Northern Ireland people have a great attachment to, will be totally swallowed up by the new deal or whether it can be properly resurrected as a fine example of an existing training programme?

I also seek clarification on a second point, which Members will appreciate from their visit to Brussels. The Minister had budgeted for the peace and reconciliation programme to run beyond the year 2000 into 2001 and 2002. While Members are all lobbying to try to keep it, we cannot understand why the Minister has budgeted for it up until 2002 when we understood that it was to end in the year 2000.

**Mr P Murphy:** Mr Coulter raised the issue of inflation and the question of the Northern Ireland Police Authority’s grant for law and order over the next few years. It is currently being held at broadly the same level as that for this financial year. That means, as the Member knows, that the Police Authority and the RUC will have to make some efficiency savings to cover police pay. But, generally speaking, there is no great difference between the grant now and the grant for the year ahead.

I did say, and I repeat, that we do not know what the Police Commission will recommend. We do not know what the security situation will be like in the coming years. Suffice it to say that current policing levels in no way put at risk the security of people in Northern

Ireland. But, of course, we await with interest the Commission’s recommendations.

Mr Gallagher referred to two things: the question of home-school transport charging and higher education. On the first point, he rightly refers to the fact there is to be no change next year, which is the first of a three year programme. It is in the second and third years that the decision will have to be taken. I fully accept his point about rural areas, but ultimately it will be for the Assembly to determine how high a priority that is in education as a whole. Across the water in England, Scotland and Wales, there are varying methods of school-transport support, according to local circumstances. The Assembly may feel, for example, that, particularly in rural areas, some special help should be given because of size. That is just a suggestion for the second and third years, but, ultimately, that will be for the Assembly to decide.

In relation to the point about higher education, I sympathise entirely. I was the first member of my family, on either side, who went to university. I understand the significance of being able to ensure that you do not have to worry about the financial consequences of going to higher and tertiary education. I do not think that it is going to be as bad a picture as Mr Gallagher painted. For example, it is estimated that only 25% of students will pay the £1000 tuition fee. Some 35% will pay less than that, and 40% will pay nothing at all.

We also have to bear in mind what we mean by post 16-17 education. Many people did not benefit from advanced further education. We concentrated so heavily on those taking degree courses that people in advanced education, which was not at degree level, lost out. We need to ensure that there is fairness and equity, so that as many as possible can benefit from it.

*3.00 pm*

Mr Shannon referred to the privatisation of the water and sewerage services. There will be full consultation with my colleague, Lord Dubs, and the use of private finance in public-private partnerships is something which the Government certainly believe is the right way to go about such matters, particularly where major infrastructure is concerned. There is nothing wrong with that.

There is, of course, the option of complete privatization — and that is one of the options open — but we have made no decision on it. It is very much a matter for consultation before we decide what to do.

Mr Maskey referred to targeting social need and policy appraisal and fair treatment. Of course those schemes are vital — very significant indeed. In terms of the measurement to which he referred, there are

technical means of measuring relative needs. We can, for example, use indicators such as unemployment — and these are used in targeting social need assessments, as he knows.

I think he is concerned that these schemes will, in some way or other, get lost in the whole budgetary exercise. I can assure him that that is not the case. It is very much in the mind of the Government — and I am sure it will be in the mind of the Assembly — that Targeting Social Need and Policy Appraisal and Fair Treatment be kept very much to the fore.

Mr Hutchinson referred to cuts in community development. It is not only the question of Odyssey or Springvale, to which I referred, but also of improving, as I hope we are, education, schools, areas of social need or the health of people in more deprived communities. If we look at the welfare to work situation we can see that all these things can be looked at by way of helping people in areas which need the help particularly because of the social difficulties they face. There are many areas, including his own, in Northern Ireland, which we need to look at. I will, of course, write to him in detail regarding some of those matters, but we also have to bear in mind the European programmes.

I refer to Ms Morrice's point about the peace and reconciliation programme. That will eventually come to an end — of course it will. As far as that problem is concerned, part of our visit last week was to see what can replace the current European programmes to ensure that we get the best possible deal.

I do not want to see any programme swallowed up by the new deal, as the Member put it, but it is very important to understand the enormous help that has come through the welfare to work programme, which the Chancellor of the Exchequer announced. We really do need to try to understand the whole picture in training terms. My experience over the years is that it is a very complicated picture and that sometimes people can slip through the net on training. It is important to look at the whole situation as far as training is concerned — including welfare to work. I understand Members' concerns and will ensure that they are met as best as possible.

**Mr Beggs:** I would like to press further on the issue of the privatisation of the Belfast Harbour Commissioners. Would the Minister agree that the hundreds of acres of prime redevelopment land, currently controlled by the Belfast Harbour Commissioners, is largely unrelated to port activity, has the potential of handing exorbitant profits to property speculation and may lead to uncontrolled development which would exacerbate the socially unacceptable doughnut effect within the City of Belfast?

Furthermore, is he aware of the potentially unfair economic advantage that a privatised Belfast Harbour Commission would have over the other ports in Northern Ireland?

**Ms Rodgers:** My question relates to something that has already been raised — the impact of the reduction of the targeting social need and policy appraisal and fair treatment schemes. I listened to the Minister's reply but it does occur to me that the welfare to work programme is being managed as part of an inter-departmental budget at UK level and will, therefore, be outside the scope of this consultation and, in a sense, outside the control of the Assembly.

Since this is to outweigh the negative impact of the reduction of the targeting social need and policy appraisal and fair treatment schemes, we could find ourselves being unable to deliver on the commitment to equality which is part of the Agreement. Perhaps the Minister could deal with that.

The decision to treat the Springvale project as a private finance initiative will also place it outside the scope of this consultation.

**Rev William McCrea:** As the Minister noted, agriculture is Northern Ireland's largest industry. Almost every sector of that industry is currently in crisis. Farming incomes are falling dramatically, and farmers do not know where to turn. During the recent crisis in the pig farming industry, the French Government introduced a series of measures to support their producers. These included special payments to farmers in difficulty, special arrangements for pig farmers and a package worth 30 million francs to support farming families affected by the crisis. What hope can the Minister offer to this industry in these spending proposals?

**Mr C Murphy:** Go raibh maith agat a Chathaoirigh. I welcome the additional funding for education, particularly for schools in the most disadvantaged areas. I would be grateful if the Minister could quantify the additional funding for Irish-medium schools and clarify whether, given that most Irish-medium schools are to be found in disadvantaged areas, that additional funding is in addition to funding for schools in disadvantaged areas.

**Mr Neeson:** I would like also to raise the matter of the sale of the Port of Belfast. In the Chancellor's statement, it is stated quite clearly that the Belfast-Newry road, and other new projects, will be partly funded by the proceeds of the transfer of the Port of Belfast from the public sector to a public-private partnership. However, in the Minister's statement, it is made clear that, if these receipts do not materialise, these projects would only proceed if funding on other Northern Ireland projects were reduced. Where does the

truth lie? The people of Northern Ireland did not derive any benefit from the sale by the previous Government of Belfast Airport and Northern Ireland Electricity. The best way to fund these new projects is to use the existing profits from the Port of Belfast, rather than by selling off the family silver.

**Mr McCartney:** The Minister will, by now, appreciate the distaste with which all parties regard the proposals for the use of the profits from the sale of the Port of Belfast.

Will there be any funding, in addition to the £8 billion block grant, to compensate for Government mis-management of, for example, the crisis in the agriculture industry, as referred to earlier by Rev William McCrea? This crisis, especially in the beef industry, was brought about by the negligence and mismanagement of the previous Government, and is, therefore, not the responsibility of anyone in the Northern Irish beef industry, which had the best system in the United Kingdom for tracing cattle. Yet, in spite of this, the Province suffered disproportionately from the European Union beef ban because of the relative size of the beef industry here.

In relation to the point made by Ms Rodgers, the Welfare to Work programme is a central Government project, but it is taking people from welfare to work — and might I say, some of the Welfare to Work programmes are of questionable economic value — while your other policies are running the ground — people who have worked assiduously for generations in the agriculture industry.

**Mr P Murphy:** I am getting the message as far as Belfast Harbour is concerned. There are a couple of detailed points in reference to the issues raised by Mr Beggs, Mr McCartney and Mr Neeson. The land bank is clearly an important issue. The Belfast Harbour Commissioners are to bring forward their own scheme which will have to be assessed by the Government to ensure that the land arrangements are properly considered and to ensure competition. Larne, as you know, is already owned by the private sector.

With regard to Mr Neeson's query about the proceeds of the proposed sale, the estimates, because of the commercial difficulties and the commercial significance of it, have to be confidential at this stage. Not all of the Chancellor's initiative has been funded from the sale of the port. The Chancellor is making substantial funding available from central resources but receipts also make a contribution. As the port is not publicly owned it is not open to the Government to use its profits to augment the Northern Ireland block.

I will appraise Lord Dubs and the Secretary of State of the views that have been expressed here today, and

you will have an opportunity to discuss this matter again in the Assembly.

With regard to TSN and PAFT, overall there is no reduction in funding — quite the opposite. There are large increases in education and health, and Welfare to Work targets the needs of the individual. There is surely no better way of ensuring that TSN objectives are met than by going to the individual concerned. I do accept the significance of TSN and, in particular, new TSN. I have not dealt with this policy personally, but I am informed by my colleagues who have dealt with the policy, that it is very significant in what it can and what it is hoped it will achieve. As far as the budget is concerned, both those areas act as a backdrop to those decisions we have to take on socio-economic matters.

Rev William McCrea referred to how important agriculture is in Northern Ireland and how incomes have been slashed over the months and years gone by. The Government have taken various measures to alleviate these problems, for example, pig producers were assisted through a pig welfare slaughter scheme and compensation was also provided for flagged herds. This assistance totalled nearly £1·2 million.

I am also aware of the difficulties that are faced as a consequence of the fire at the pig production factory in Ballymoney and the significance of that fire. It is important that we consider how best to deal with this problem. If Mr McCrea looks at the budget for the next three years he will note that the CSR provides support for services worth £25 million, for example, in testing and meat inspection. This should instil confidence in the agricultural industry, particularly in dairy products, which is absolutely necessary.

After talking to people in Europe last week it is our view that the Northern Ireland farmers will be recognised for the very important changes that have occurred in the industry in Northern Ireland and how the farmers have dealt with these crises. Mr McCrea will see, if he reads the budget, that these problems are not forgotten. The Government are certainly conscious, as I am sure the Assembly is, of the importance of agriculture to the well-being of the many thousands of people who live and work on the land in Northern Ireland.

*3.15 pm*

Mr Murphy is aware that, under the Agreement, the Government have committed themselves to passing legislation to ensure that Irish-medium education will be available. The viability criteria have been adjusted so that schools can more easily be established where there is demand. He will also be aware that in my constituency Welsh-medium education is flourishing, so I will place no impediment in the way of those who



wish their children to be educated through the medium of the Irish language.

I have covered most of the points, but I will write to Members on some of the detail on points which have been raised.

**Ms Carson:** With reference to our roads and transport system, the Chancellor's economic package will provide £87 million — though spending is dependant on receipts from the transfer of the port of Belfast to the private sector. The port of Belfast is vital to the strategic, economic importance of this Province and must not be regarded as a throwaway bargain; I must emphasise that.

The comprehensive spending review allocations will reinforce this package by a further £11 million for roads operation and maintenance. Will the Minister confirm that no long-term provision has been made within this three year programme for essential long-deferred items? I could give him quite a few examples from South Tyrone.

**Mr Farren:** The Government, in presenting this consultation paper, quite rightly remind us that their overarching aim is to achieve peace, stability and prosperity. In the first sub-paragraph following this, they commit themselves to ensuring the full implementation of the Good Friday Agreement.

In the light of that, I would like to point out what I see as a serious omission in the Spending Review. With respect to allocations that will arise out of the establishment of the Civic Forum and the North/South Ministerial Council, there is a brief reference to the office of the Executive on the North/South Council. I take the allocations indicated there to refer specifically to the secretarial aspect of the Council, but with respect to the North/South implementation bodies, I think that we could have expected some more information on what might need to be allocated in that area.

My question refers to paragraph 31 and the Trade, Industry and Energy Section. There is to be a reduction of approximately 4% over 3 years with respect to this area. Given the reference to energy in the title of this section, the imminence of reports dealing with the possible extension of the gas supply to the north-west and the possibility of the extension of gas supplies should an interconnection with Scotland be provided and a link between Belfast and the border, I am particularly concerned that the capital expenditure required to meet such necessary investments might not be forthcoming due to the reductions signalled in this section of the review.

**Mr Hay:** I ask the same question as Mr Farren about the extension of the natural gas pipeline to the rest of the Province, and especially to the north and north-west. There is a strong political lobby to ensure

that the extension takes place. The Government have completed a feasibility study on natural gas for those areas. However it was a narrow study and we, the representatives of the north and north-west, want assurances that natural gas will be supplied to the rest of the Province. We have no problem about gas for the Greater Belfast area, but for the sake of industry and economic development, and in terms of social issues, it is important that the rest of the Province gets a natural gas pipeline. I ask the Minister to set money aside for that.

**Mrs Nelis:** At the recent economic forum in Derry, which was organised by Derry City Council, it was stated that since 1939 that area has had the highest unemployment in the Six Counties. Strabane has an equally bad record. Unemployment is directly related to ill-health and poverty, and one of the objectives of the review is to enhance the quality of life for people in the north and invigorate TSN initiatives. How can that be achieved if expenditure on training and on tackling unemployment is to drop by 4% over the next three years? That percentage allows for inflation. It would be useful to have information on how TSN decisions ensure the funding is correctly targeted. I join my comrades on Derry City Council in putting the case for natural gas. It will help to tackle our long-term endemic unemployment.

**Dr Birnie:** Industrial development is mentioned on pages 12 and 13 of the review. A substantial real-terms reduction in expenditure is proposed. It would be helpful for such documents to make explicit assumptions about inflation. How does that reduction, especially in the context of selective financial assistance, relate to the ongoing review of the structures of the main industrial development agencies, to the recent performance of the IDB and LEDU and to the Department of Economic Development's economic strategy review? That review is not yet complete, and we, as democratic representatives, have not had the chance to contribute to it.

**Mr Byrne:** How can the stated aims of sustained economic growth and an improvement in the Northern Ireland economy be achieved in the light of the projected reduction in the budget of the Department of Economic Development? I welcome the fact that there will be 2,000 extra higher education places over the next three years. I hope that Tyrone will not be the only county without full-time higher education provisions. TSN and PAFT should ensure that the county town of Tyrone gets some places.

**Mr P Murphy:** First, I will respond to Mr McCartney's point about access to the reserve, which I have not completed but have not forgotten. The Member knows that it is always possible, if there is a genuine and UK-wide crisis, to obtain certain moneys from the reserve. Indeed, the cost of BSE and the



difficulties associated with that crisis were a drain on the reserve. However, it is not designed for local emergencies, except where the scale is such that it is impossible for the amount to be met from internal resources from the block. It depends on the circumstances of the issue we are dealing with.

Mr McCartney and Ms Carson referred again to the question of the Port of Belfast, and in particular the provision for long-term items. The port would certainly not be sold for a bargain. Water, education capital, and roads capital are examples of long-term items. Again, we would be more than willing to listen to the views of Members of the Assembly — and they have expressed them strongly this afternoon — on how best to deal with this particular issue and I will be taking that message back.

Mr Farren referred to two things. First he referred to the Belfast Agreement and the commitments made there regarding the Civic Forum and the North/South Ministerial Councils and the expenditure necessary on them as a consequence of the Agreement. The Assembly may rest assured that there will be proper provision made within the estimates in the budget for such commitments in the Agreement, and we will ensure that that will be visible.

Mr Farren's second point, also raised by Mr Hay and Mrs Nelis, referred to the lack of Natural Gas in the north of Northern Ireland. A year or so ago I talked to Derry City Council and they were very strong in their view of how important it was that Natural Gas be extended to the north-west. Until I came to Northern Ireland as Minister, I was unaware that there were no such facilities. As someone who uses gas for cooking and heating I can understand people's views on this. There is no actual provision in these plans for new gas pipelines. As Members will know, it is very expensive and will need to be critically appraised.

It will be a matter for the Assembly to decide whether it is possible, by some method or other, to persuade the Treasury to increase the block grant or to ensure that there is some sort of agreement, achieved by negotiations with private companies, to bring it through. I understand that the case is there and the Assembly, ultimately, will have to find such funding but certainly not within the estimates as they are presented today.

Mrs Nelis also referred to unemployment. Let me remind her that the welfare-to-work programme will provide £240 million for Northern Ireland during the current Parliament — a very large amount indeed. That amount is set against a general picture of falling unemployment and increases in health and education. I do not underestimate the huge significance of the need — particularly as we move into a more peaceful setting — to retrain people and to give young people the skills necessary to ensure that they can have a fulfilling and

useful life in the next century. That is very significant for us all.

Dr Birnie referred to the Industrial Development Board. The cuts in the budget are relatively modest. We will still be spending £165 million in 1999-2000. We believe that the more peaceful climate, and the progress made in this Assembly, will strengthen the attractiveness of Northern Ireland as a good investment location. The strategy to which he refers is, indeed, under way. The IDB's level of assistance to industry will remain very competitive and will continue to provide a high level of support for attracting new inward investment — a point made by Mr Byrne also.

I do not underestimate the work being done by the Department of Economic Development or by the IDB. Indeed the recent 11-city tour was hugely significant, and I hope that much will come of it.

*3.30 pm*

The estimate is reasonable and, over the next few years, it should provide sufficient funds for industrial investment. A report on the IDB and regional development generally will soon be issued.

**Mr S Wilson:** I welcome the suggestion in the statement that more will be spent on improving Northern Ireland's water and sewerage infrastructure. Last week some homes in my constituency were flooded for the fifth time in a year and sewage was running through the houses because of the inadequacy of the sewerage system.

The question of urban regeneration has been highlighted on a number of occasions. As Billy Hutchinson has said, expenditure on the Odyssey project will be offset by urban regeneration programmes. Nothing specific is mentioned in the paper. Which urban regeneration programmes will be affected, and will urban regeneration in East Belfast generally be affected by directing funds to the flagship project?

In their recent Green Paper, the Government emphasised the need to change the emphasis on transport. The Odyssey project is a good example of decisions being made ahead of changes that may be needed to public transport. The Department has cut car parking spaces by 3,000, on the basis that there will be adequate public transport to facilitate the Odyssey project in East Belfast. If planning decisions are made on the basis of adequate public transport, what money has been set aside for transport to ensure that programmes will be implemented?

**Mr M Murphy:** Go raibh maith agat a Chathaoirleach.

Is the Minister aware of the lack of watermains in many parts of the Six Counties such as the Sperrins, the

Glenavy Valley, Sixmilecross and parts of my constituency in South Down? A special budget needs to be established to address that aspect of unfit rural housing. Will the Minister set up a task force and establish a special fund to bring mains water to every home in the Six Counties, thereby helping to bring many rural homes up to the standards that are expected in the new millennium? Go raibh maith agat.

**Mr K Robinson:** I thank the Minister for answering our questions and for accompanying this group to Brussels. He had the role of a schoolmaster in looking after us all, but I suspect he enjoyed it. Does he agree that it is incumbent upon the Assembly wisely to allocate the increased funding for education and economic development, and to maximise the potential benefits to education and the economy in a way that is free from political ideologies designed to place the maximum number of posteriors on padded upholstery?

Can the Minister give the House more details about the proposed levels of capital and revenue funding that has been set aside for the Springvale campus, the percentage of Northern Ireland's education budget which this equates, and the cost of relocating the current College of Art from North Belfast to Springvale with the loss of local jobs and the possible damage to the proposed cathedral quarter, with its newly designated arts, craft and cultural ethos?

Can he indicate how much money has been set aside specifically to retrain teachers in information technology, to raise standards in schools and to develop the skills necessary for delivering that? Also, how much has been set-aside for training pre-school teachers and providing for the accreditation of those skills so that they may be properly recognised?

The Initial Presiding Officer: Please bring this series of questions to a conclusion.

Mr K Robinson: May I also ask that teachers be suitably financially rewarded for attaining these new levels of excellence and that disruption to schools be kept to a minimum during the retraining process.

**Mr McClelland:** My questions refer to Departmental Expenditure Limits (DEL). Is the Minister aware that the predicted growth forecast for DEL in Northern Ireland over the next three years, in cash terms, is 3.6%, while the figure for the United Kingdom is 5.9%? Would the Minister allay our fears that the decision on public spending has less to do with the Barnett formula and more to do with a realistic understanding of the public expenditure needs of Northern Ireland?

**Mr Ford:** Minister, Croeso y Senydd, welcome to the Assembly.

I note in your statement the extra £74 million for community care, but as one who has a professional background in that area I must say that it is somewhat inadequate.

But it particularly concerns me that yet again the Government are demanding 3% efficiency savings from health and personal social services. Does the Minister seriously believe that after a decade of such cuts there is any more fat left in the system, or does he agree with me that we are now cutting back into the core services?

**Mr Kane:** Will the Minister confirm whether it is planned to cut back on recruitment to the Royal Ulster Constabulary Reserve? Is it this Government's policy to shelve recruitment to a body which has served this country faithfully for the past 28 years?

**Mr P Murphy:** Mr Sammy Wilson asked a number of useful questions about water and sewerage and expressed his dismay. Indeed, I have also been expressive in my own area over the last few weeks about the appalling effect that flooding can have on people's lives. It can be a devastating experience, and I understand the significance of the points he has made. In fact, the budget provides for a significant amount of money to deal with flooding.

The Member also raised questions about urban regeneration and transport — in particular, parking provision. Transport is, of course, a matter for Lord Dubs, and I will make sure that he receives the point made by the Member. He will provide the Member with a written response.

The Urban Regeneration Programme has been mentioned by a number of Members, and I can tell them that the Government are planning to spend about £120 million between 1999 and 2002. There are resources for Making Belfast Work, the Londonderry Regeneration Initiative and joint projects with the International Fund for Ireland. Further resources will be available from the International Fund and from European Union programmes such as the Special Programme for Peace and Reconciliation.

We have not finally allocated those resources, but we believe that they will be sufficient to deliver a substantial programme of regeneration measured throughout the region.

Odyssey is not being offset directly, but in setting forward plans we cannot, of course, ignore other events.

That was one of the reasons for our visit last week — to press home with the European Union, and particularly with the Commissioners, the need to ensure that our most difficult and deprived areas are funded properly not just by the United Kingdom Government, but by the European Union as well. The European Union has been good to us over the years, and I hope

that our visit will ensure a continuation of good funding.

Mr M Murphy raised the question of water and, particularly, the lack of provision in rural areas. I agree with his points, and that is why we are proposing such a large capital increase in the spending on water and sewerage services. I would not have thought that there was a need now for an extra fund, but if the Assembly feels, when it debates these issues — and it will do so in the near future when proposals are put to it — that an extra fund is worth examining, I certainly would not dismiss it and neither, I am sure, would Lord Dubs. Ultimately, however, it will be a matter for the Assembly.

Mr K Robinson very kindly referred to our visit in Brussels last week. I think I needed a little looking after myself by the time we arrived back at our hotel on the Thursday. We had a busy few days, very exhausting, but very worthwhile. I think that all parties would agree that we certainly got the message across to the Commission and to Europe about how important it is that a link be established. The Assembly will eventually have a very important role itself in Brussels, ensuring that the points that were made earlier in the debate about urban regeneration, community and economic development are put directly to the people there.

With regard to Springvale, I will reply to Mr Robinson in detail. I will say, however, that in April we announced an investment of £40 million towards the development of a unique further-and-higher education complex at Springvale, on the peace line between North Belfast and West Belfast, costing £70 million. Details of the split in spending will be contained in my reply.

Mr Robinson also referred to various aspects of teacher training. We believe that substantial resources have already been allocated, and I will reply in some detail on that one as well.

Mr McClelland referred to public spending and to the Barnett formula. In the next couple of years this will be a major issue that the United Kingdom Government have to face — not just because of Northern Ireland, but because of Scotland and Wales as well. The Assembly will have difficult negotiations with London to ensure that the Assembly grant meets the needs of the people in all aspects. I have no doubt that the Government have goodwill towards the Assembly; but it needs more than goodwill. It will mean hard bargaining and negotiations.

Mr Ford referred to the 3% efficiency savings in health and community care. I respect the fact that he has a background in this area, one that has been neglected over the years. Community care is a good concept, but it needs backup and resources. The money that passed last week from the Chancellor of the Exchequer

allocated to community care will certainly be of great service.

As to Mr Kane's point about the RUC Reserve, I will make sure that my colleague, Mr Ingram, is so informed. Mr Kane will see that there is very satisfactory financing and budgeting for police services in Northern Ireland.

**Ms Gildernew:** Go raibh maith agat.

With reference to points 18 and 19 on pages 6 and 7 of the consultation paper, could the Minister explain what the adverse consequences are for the new and invigorated targeting social need initiative and the one or more public appraisal and fair treatment categories? Does this mean that targeting social need is no longer a priority, and will the setting of the regional rate under devolution consider targeting social need areas as having special status in relation to raising the £22.5 million extra in 1999/2000?

3.45 pm

**Mr Leslie:** My question is about the agriculture budget. A visitor from Mars attending this debate might be rather perplexed by the fact that we are trying to find £60 million for water services while in the agriculture budget we have to find £6 million to protect against flooding. I draw the Minister's attention to the line on responding to pressures in animal health and food safety. When we farmers hear of more money being given to the Department for pressures in this area, we say "Oh, no; this must mean more inspections." Is this money to be used to enforce more regulations or to help the farmer comply with regulations that are already in place?

**Mr O'Neill:** I welcome the positive aspects of the budget for health and education. I am a teacher, and my poor, long-suffering wife is a nurse, so there is something of a vested interest in the matter. My concern, however, relates to housing.

What has happened to the housing budget in Northern Ireland over the past 10 years under the Minister's predecessors is nothing short of disgraceful. Year after year, stop/go economic policies have caused considerable difficulties for housing throughout Northern Ireland. Financial restraints meant that 150 Housing Executive jobs had to go — fortunately by voluntary redundancy — last year, the Housing Executive had to surrender its residual new-build role, and its grants and rehabilitation schemes had to be reduced. What will the effects of this relentless reduction in funding be for the Housing Executive, and will the Minister relent on these issues?

**Mr Dodds:** I thank the Minister for his willingness to come to the Chamber to answer questions on this policy document. I also thank him for his role last week in the visit to Brussels. In relation to EU funding, to



what extent are predicted levels of receipts and allocations from Europe taken into account in this review? At what level are the expected European receipts and allocations set in terms of Government thinking? This is particularly relevant to the continuing debate on Objective 1 status.

It is useful to have this paper and presentation because they emphasise the amount which Northern Ireland receives in the block —£9 billion for 1998-99, rising to £10 billion at the end of the financial period. That compares with £1 billion over five years from Europe. Therefore, in terms of money coming into Northern Ireland, while many people rightly and importantly focus on Europe, more attention needs to be given to money from the Exchequer. It is a far greater amount, and it is sometimes overlooked when talking about Europe.

**Mr McLaughlin:** I join in thanking the Minister for presenting the document and answering questions. I had an opportunity earlier and elsewhere to talk to the Minister about the comprehensive spending review. The Secretary of State outlined public expenditure priorities and referred to extensive consultations with the political parties, district councils, the business sector, trade unions, the voluntary and community sectors and others. I was disappointed by the reference to new TSN and PAFT. In the consultation, it will have been made clear to the Minister and his colleagues how much priority is attached to ring-fencing these measures. They are seen as essential for delivering quality and parity of esteem.

There were representations that these should not simply be guidelines, but a constant policy requirement on the allocation of public expenditure. Guidelines are a less than satisfactory response to what I can testify personally was a strongly felt argument that was presented directly to the Minister in the consultations. The disparities over many years on infrastructure developments such as roads, ports, airports and energy — the case has been made about the gas pipeline — are obvious cases in terms of new beginnings. Education is another. Some areas have twice the deprivation and unemployment of others. Those issues were raised directly, but where in this document is the Minister's response or a sign that attention was paid to those issues? I certainly cannot find any such references.

Go raibh míle maith agat.

**Mr Kennedy:** I welcome the opportunity to ask questions on this important document, but I am concerned about the short notice. Many Members were away last week, and we have not had a proper opportunity to study this matter. We are getting answers, but I should like to see the deadline on this important document extended so that Members may

have more time to consider this important document and make representations.

**Mr P Murphy:** Ms Gildernew referred to TSN and PAFT and to how the regional rate might be used to promote those schemes. Mr McLaughlin also spoke about those issues. So far as housing is concerned, there may be a small effect on PAFT, but that will be more than outweighed by the positive impact on health, education and other programmes in the budget. We are committed to TSN. It is a priority theme for all public expenditure programmes and, although it is not a programme in itself, it applies to all programmes.

I propose to write to Members who have spoken about TSN and to other Members on the points they have made. That will enable me to respond in more detail than time allows today. I understand the significance that Members attach to TSN.

Mr Leslie rightly raised the problems of agriculture. His plea was not for more inspections, but for more direct help. I am informed that the improvements are designed to help to meet existing requirements but not new impositions. I shall write to the Member on some of those matters.

Direct help to the farmer rather than bureaucracy is important. The aim should be to ensure proper help to address the farming difficulties that have been identified in the debate.

Mr O'Neill referred to housing. Housing has been very badly hit over the last decade, not just in Northern Ireland but throughout the United Kingdom generally. The move towards housing associations is a welcome one. They have done a lot of good work in Northern Ireland and are able to access funding well beyond what the Housing Executive has to deal with. A total of £600 million is to be made available for housing in each of the next three years, and in the Chancellor's package of last May an additional £11 million was made available for housing in the worst estates.

A number of receipts have also been incorporated into this budget, but ultimately, if the Assembly feels there is inadequate support for social housing in this comprehensive spending review, the ability is there, as the year develops, to change some of this spending.

Mr Dodds referred to how successful last week's European trip was in terms of making the point to those who matter in Europe — the key players — that there is no division in this Assembly, on political grounds, as regards the need to put Northern Ireland's case and to get the best possible deal. With regard to the question of receipts being taken into account, in respect of the existing structural funds for the year 1999-2000 they have been, but after 2000, we cannot be certain what help will be made available. That is why we went to Europe — to try to ensure that we get help in the future.



This will occupy the minds of Assembly Members for the next year — how to get the best possible deal. They saw the difficulties that we face, but they also saw the great deal of goodwill that exists in Brussels — and this is obviously something that we need to harness.

I apologise to Mr Kennedy for the lateness of this reply, but I will make two points. I do not think that the Assembly has done badly, so far, in making its views known in very considerable detail on various aspects of the budget. We are making a careful note of everything that has been said, whether on agricultural, targeting social need or policing. We have already had a lengthy consultation period, and the views expressed do not differ very much from the points that have been made here today. Obviously there is now more detail — the flesh and the figures are there. You can rest assured that we will take the Assembly's views into account, particularly in the controversial areas that have been mentioned today.

**Mr McMenamin:** The recent report on the Industrial Development Board by the Northern Ireland Audit Office showed a poor performance with regard to delivering jobs in West Tyrone — particularly in my home town of Strabane. Can you assure me that a fair proportion of the £165 million economic development package will be dedicated to this area?

**Mr Paisley Jnr:** Can the Minister tell Members how he intends to meet the needs of the community that lives outside the greater Belfast area, in terms of road traffic infrastructure and job creation?

May I draw his attention to the Secretary of State's 14 July 1998 statement on the issue of additional spending in Northern Ireland when she indicated that her priorities included modernising the transport infrastructure before the end of 2002 and, by March 2002, securing a commitment from the Industrial Development Board's client companies to create 23,000 jobs? Does the Minister share my concern that, in terms of road infrastructure in North Antrim, the Glarryford to Ballycastle junction has seen about 303 road traffic accidents, causing 21 deaths and over 600 people to be injured in the past 10 years?

4.00 pm

When will money be provided to address that programme? In terms of economic development in the same area, is the Minister aware of the Industrial Development Board's audit report, which shows that the areas of Moyle, Ballymoney and Ballymena, which account for almost 6% of Northern Ireland's total unemployed, have had no significant job promotion programme in the last 10 years? How does he react to that picture of economic and social neglect and, indeed, job discrimination?

**Mr Molloy:** A Chathaoirleach, I welcome the increase in spending on health and education and hope that this will be used to ensure the retention of small rural schools, such as Carland in my own area, which we have been lobbying for. I also urge that extra money be used to retain hospitals such as the South Tyrone and the Mid-Ulster.

Throughout the comprehensive spending review, it appears that the Chancellor's initiative is substitute rather than additional expenditure. Can the Minister provide the Assembly with a detailed breakdown of the proportion of the Chancellor's initiative that is additional?

**Mrs Bell:** I have two questions about the review. First, the Minister's report said — and I welcome this wholeheartedly — that there will be a further 6,300 pre-school places by 2001. Mention was also made of capital and maintenance for schools. I would like to ask about the additional support being made available for integrated education and Irish-medium schools. Can the Minister give an assurance that the three integrated schools — Strangford, Oakwood and Ulidia — that have satisfied the criteria will receive finance for administration support? In addition, there are the Irish-medium schools. There are Meánscoil Dhoire and eight primary schools from Derry to Maghera, Castlewellan and Downpatrick, whose needs must be considered too.

My other concern relates to the current levels of provision for public libraries. Anyone, especially from North Down, knows that the libraries need only what is mentioned in the review: new stock and new buildings. The library in North Down is a safety hazard. I seek the Minister's assurance that there will be moneys for what is noted in the review as well as for refurbishment, restocking and generally improved facilities for the libraries.

**Mr Foster:** I too welcome the Minister to give Members a little insight into this very important document. It is evident that there is not a pot of gold that never empties.

I welcome the input into the social services budget, although I am concerned about whether it is enough. It needs to be increased by 7% year on year, just to keep up with medical advances.

My main question relates to roads. In the south-west of the province the roads leading to County Fermanagh, especially the part of the A4 from the Ballygawley roundabout to Augher, are snake-like tracks, and there is no sign of anything being done about this. The A4, which leads to the province's lakeland area, needs to be improved. Is there any proposal to upgrade it?

Furthermore, we need a throughpass in Enniskillen, which is a bustling town that is presently choked with traffic, especially at rush hour. Are funds available within the budget for such a scheme?

**Mr O'Connor:** Like my colleague Mr O'Neill, I should also like to speak about housing.

Page 16 of the review refers to the provision of housing by associations rather than by the Northern Ireland Housing Executive, and to the introduction of a common waiting list. What steps have the Government taken to ensure that the tenants of such associations are not discriminated against or disadvantaged over their rights to repair or to buy their own homes or to receive discounts on such purchases? During civil unrest in July some Housing Executive tenants in my constituency who were forced from their homes were rehoused by an association. The discounts that they had accrued from the Northern Ireland Housing Executive no longer apply because they were rehoused by an association.

I note the continuing cuts with great concern. The Minister said that one of the benefits is that private finance can be attracted to the industry to supplement public resources. My concern is that the cuts are not intended to supplement public resources but eventually to replace them, thus doing away with the Northern Ireland Housing Executive. That is my main concern.

**Mr Murphy:** Mr McMenamin referred to Strabane. I think that everyone is aware of Strabane's unemployment problem. It is important for industrialists to consider such peripheral places. Part of my own constituency is far from the M4. It is easy to get the companies to come to the part that is close to the M4, but difficult to encourage them to come to the top of the valleys. It is a problem for industrial development boards and economic development Ministers. The difficulty is that ultimately it is the company's decision regardless of how many benefits are put before it. Every effort should be made to attract firms. Mr Paisley referred to North Antrim in that context. The infrastructure of places that are outside areas of greater prosperity should be developed. That is easier said than done, but I am sure that the Assembly will lend its mind to it. Adam Ingram, my colleague in the Department of Economic Development is conscious of the need for that.

Mr Paisley spoke about transport infrastructure and about jobs outside Belfast. The Chancellor's initiative provides for the Ballymena/Antrim Road but Mr Paisley referred to the Larne Road. I will certainly draw his comments to the attention of Lord Dubs. They were made to me when I visited Ballymena some months ago and talked to the council. I think it is important that jobs and roads are carefully looked at

and positively discriminated for by the Assembly when it sets about its business, but it is for the Assembly to decide how to deal with that.

Mr Molloy welcomed the spend on health and education, and mentioned small rural schools. I agree that they often provide excellent education. He specifically referred to the Chancellor's initiative, and I am advised that all of it is additional. If he wishes to write to me for further detail, I shall be happy to respond.

Mrs Bell spoke about Irish-medium and integrated education. Those matters were raised in the Commons last week, and the school in Derry to which she refers was mentioned. I spoke about help which I think the European Union is giving in that direction. The importance of looking carefully at the means by which opportunities can be improved for people who want to go to those schools was also raised in the Commons. The Government are committed to such opportunity, and I will write in detail to the Member about the schools to which she referred.

I agree that in a civilised society provision for libraries is hugely significant. We will be sustaining the library service at current levels. Funding will be available to link libraries into the National Grid for Learning, another benefit of the New Opportunities Fund. This will provide training in information technology and communications technology and will allow for the digitalisation of library contents. The Government are also putting an additional £2.5 million into provision for school libraries. My colleague Mr McFall to provide written answers to some of the more detailed points.

Mr Foster referred to the condition of roads in the south-western area generally. I acknowledge again that border areas of Northern Ireland rely very heavily on a good road network. This is currently the responsibility of Lord Dubs, and he is engaged in a review of the programme. This will include consultation with the Assembly. We should be aware, of course, that, in the not too distant future, the Assembly will have its own Minister for Roads, or Minister for the Environment, who will be able to raise these matters with you. My colleague, Lord Dubs, will, of course, consult any such future Minister.

Mr O'Connor raised the issue of housing associations and expressed the fear that public funding for these associations would be replaced by private funding. There is no reason why we cannot use both public and private funding. The local council in my area of south Wales, for instance, has not built any houses for many years, but hundreds of houses have been built by housing associations. I have also noted his points about the right to buy, the right to repair and the waiting

list, and I will ask Lord Dubs to respond to him in more detail on these matters.

**Mr Morrow:** I would like to draw the Minister's attention to the removal of border security posts. This is an unnecessary waste of public funds. It has cost countless thousands of pounds to construct these posts, and it is now costing a similar amount to dismantle them. Would it not be more cost-effective to leave them in place and re-direct these resources to rebuilding police stations which have been bombed, such as that in Ballygawley? The money could also be spent on a new courthouse for Dungannon. This was the subject of a public inquiry some years ago, but it now seems to have disappeared from the Government's priority list.

**Mr McElduff:** Go raibh maith agat a Cheann Chomhairle. A Uasail Uí Mhurchú, tá fáilte romhat.

Can the Minister confirm that, bearing in mind the commitments made to increase funding for education and health, adequate funding will be made available for the training of social services personnel, youth workers, teachers and all public sector employees who come into contact with children and young people in the course of their duties, in line with the requirements of the Children (Northern Ireland) Order 1995?

Tá an cúram seo thar a bheith tábhachtach i mo bharúil féin agus caithfear airgead a chaitheamh air seo. What will be the percentage increase in funding for pre-school provision? Go raibh maith agat.

**Mr Savage:** I would like to ask the Minister about the Capital Grants Scheme, mentioned at page 12 of his paper. Will there be no further funding for farm diversification under the European Union's sub-programme for agriculture and rural development? I would also like to say that I think that an answer given earlier by the Minister was incorrect. The amount of money paid by farmers to the Livestock Marketing Commission when they bring their cattle to be slaughtered makes this process nearly self-financing.

When will the ban on beef-on-the-bone be lifted? It is important that as much meat as possible is sold. Also, why does it take so long, under the over-30-months scheme, for farmers to receive payment for animals slaughtered? Sometimes, it takes up to eight weeks for farmers to receive their payment.

4.15 pm

**Mr Bradley:** My colleagues, Mr O'Neill and Mr O'Connor have already raised the question of housing, and I listened attentively to the Minister's replies, but I must ask if he would recommend to the Assembly that the Housing Executive, in its present form, be retained.

**Mr Hussey:** The infrastructural deficiency in the west has already been highlighted, as has the failure of Industrial Development Board not just in the town of Strabane, but in the entire Strabane District Council area and west Tyrone in general. Those two facts are not unrelated.

But the question I wish to ask is to do with the regional rate. Over the years, councils have been trying to lower their district rate, only to have their endeavours frustrated by the effect of the regional rate which increases the householders' rates bill.

A major factor that district councils have recently had to deal with has been the effect of the landfill tax. The purpose of this tax is to try to reduce the amount of waste being put into landfill. Would it not be more efficient to allow a much larger proportion of the amount of landfill tax to be recouped by district councils? This would help to keep their rates lower. They could utilise that money to provide proper landfill facilities — which can be very expensive — and by doing so, they would be fulfilling the purpose of the tax.

**Mr McNamee:** Go raibh maith agat a Chathaoirleach.

I welcome the opportunity to address the Minister on roads and transport. In spite of comments about Belfast Harbour, I, like every other Member, welcome the Chancellor's package on the roads programme. The Assembly will, I hope, have responsibility for roads infrastructure, operation and maintenance, and it will be up to its Members to prioritise and identify the areas of greatest need, such as the southern part of my constituency, Newry and Armagh.

My question is about the proposal to release additional spending power to the Northern Ireland Transport Holding Company. What procedures are in place to monitor the performance of the Northern Ireland Transport Holding Company, given that additional funding is being made available to it? I am referring not just to its business viability or accounting regularity, but also to the reason for its existence — to provide a public-transport system that is a viable alternative to the private car.

I am asking this question in the light of the reduction or withdrawal without notice of bus services, especially on the Newry-Belfast route — a primary link between Belfast and the south-east. In addition, there are large rural areas which have practically no service — certainly no viable alternative to private transport.

**The Initial Presiding Officer:** Minister, may I ask you to respond to that last batch of questions.

**Mr P Murphy:** I shall do my best, but I cannot respond in detail on matters that are the responsibility



of departmental colleagues. I shall ensure that they reply in writing on such matters.

Mr Morrow spoke about security posts. Expenditure on those falls to other budgets, but I assure him that they will not have an impact on the budget of the Assembly next year.

Mr McElduff referred to an increase in pre-school figures. If funds were available, the number of places for pre-school cohort would rise from 59% to 85%. He also raised the question of funding for the training of staff who come into contact with children. Sufficient funding is to be made available for childcare services. There will be £7 million in the first year, £11 million in the second and £12 million in the third.

Mr Savage spoke about the capital grants scheme and the sub-programme for agriculture and rural development. That was designed to improve competitiveness and to deal with other issues. The proposed cessation of that scheme reflects priorities in the agriculture budget. Grants totalling some £44.5 million will have been paid to more than 9,000 farm businesses. The Member also mentioned the ban on certain meat sales. I should like to see the return of the T-bone steak, but it has to be safe for us to eat. The market is currently examining this matter. I shall ensure that Lord Dubs writes to him on the important issue of the delay in payments.

Mr Bradley spoke about the Northern Ireland Housing Executive. There are no plans to get rid of it, and it will remain in its present form until the Assembly chooses to change it. Ultimately, it is a matter for the Assembly.

Mr Hussey referred to landfill tax. That, of course, is a national policy and is outside the scope of the Assembly. If he or others wish to raise it, I will make sure that the Government is made aware of that, particularly in relation to the striking of the district rate and the regional rate.

Mr McNamara mentioned roads and transport and the Northern Ireland Transport Holding Company. He referred specifically to the Newry-Belfast route. Lord Dubs will write to him on some of those issues.

**The Initial Presiding Officer:** I thank the Minister for his presentation and for making himself available for an extensive period of questioning. I tried to keep a reasonable balance among the parties. Forty-eight Members asked questions, but I rather lost count of how many questions were asked.

**Mr P Murphy:** A few more than 48!

**The Initial Presiding Officer:** It was considerably more than 48, and they extended over some two and a half hours. It is clear that Members have valued this opportunity, and I thank them for restraining themselves

to a notional period of about a minute to put questions. By doing so they were courteous to each other and ensured that a significant number of questions could be put.

Motion made:

That the Assembly do now adjourn. — [The Initial Presiding Officer]

Sixteen Members have submitted applications to speak on the Adjournment. As agreed by the Committee to advise the Initial Presiding Officer, and as indicated to Members in All-Party Notices, Ministers and party Leaders are excluded from the selection process, as are all Members who have already made a substantive contribution to the debate in the Assembly Chamber. When the agreed exclusions were made, 14 Members remained, with six being chosen to contribute today, representing the widest possible range of parties. Members will have seen on the noticeboard the names of the six Members who have been chosen to speak. I regret to say that Assembly Member Tom Benson is ill and unable to be here, so five Members will speak.

### THIRD-WORLD DEVELOPMENT (ASSEMBLY LINKS)

**Ms Hanna:** Our television screens have been filled during the past week with images of the devastation caused by hurricane Mitch. The loss of life and damage caused in a few hours has been unimaginable, even by the standards of what this community has gone through in the last 30 years — and I do not seek to trivialise the suffering in our own community. In Nicaragua, which has a population less than that of Ireland, more than 10,000 people are dead, more than two million people are homeless and the infrastructure has been destroyed to the extent that aid agencies are saying that the country has been set back 30 years. And the numbers are still increasing.

This year has been a terrible one for disasters. We had devastating floods in Bangladesh and China that caused the deaths of many thousands and made millions homeless. The victims are suffering from diseases caused by stagnant water, fungal infections, and diarrhoea.

The vital statistics of global poverty are mind-numbing: 1.3 billion people survive on the equivalent of less than a dollar (60p per day); nearly one billion people are illiterate; more than one billion lack access to safe water; 840 million go hungry or face food insecurity; nearly one third of the people in the



least developed countries are not expected to survive to the age of 40.

The poet, John Donne, said: "No man is an island". I want the Assembly to consider my proposals because we cannot isolate ourselves from or insulate ourselves against what is happening in the rest of the world.

First, I am asking the parties meeting to discuss Ministries and the allocation of portfolios to set up a Committee to deal specifically with the Third World and international development because the Good Friday Agreement does not deal with this subject. This Committee could have four main objectives for the allocation of local resources: to refocus aid on the eradication of poverty; to build partnerships with developing countries and the private sector in order to strengthen commitment to development targets; to strengthen public understanding and support for international development; and to help ensure that the full range of government policies affecting developing countries takes account of sustainable development objectives.

Secondly, Northern Ireland owes a great debt of gratitude to the rest of the world which has done so much to help us begin to resolve our problems. I refer to the practical aid. To date, over £350 million have been provided by the United States, the European Union, Canada, Australia and New Zealand through the International Fund for Ireland (IFI) for use in Northern Ireland and the border counties. The IFI aid is in addition to the billions which have been transferred to us from the European Union under the structural funds. For us it is payback time. We should now take up the challenge of repaying the rest of the world.

One of the great scandals is the level of Third-World debt. The United Kingdom alone is owed £8 billion by Third-World countries. In Nicaragua, before the disaster struck, servicing that debt cost £1 million per day in interest alone — one third of the value of its exports. Nicaragua has no chance of meeting its obligations. Some will say that Third-World countries, particularly those which were dictatorships, borrowed the money to buy armaments.

4.30 pm

Countries like Nicaragua are fledgling democracies. We have a duty to help such countries and their people, who are often the poorest of the poor. Many things divide us in Northern Ireland, but in all communities there is a deep well of generosity towards those in other parts of the world who are less well off. Much of this generosity springs from religious motivation.

Missionaries from Northern Ireland — Catholic, Presbyterian, Church of Ireland, Methodist, Baptist, and others — are to be found in every corner of the globe.

The work of locally based agencies such as Oxfam, Trocaire, Concern International, Action Aid, Save the Children and Christian Aid is well-known and deeply appreciated. Northern Ireland is consistently found to be at or near the top of the league table of charitable giving among United Kingdom regions.

Part of that deep well of humanitarianism and compassion is a result of our shared suffering. One hundred and fifty years ago Ireland experienced a famine which led to one million deaths and, over several generations, the emigration of three million people. Our economy has serious difficulties, but when prosperity returns we will have a moral duty to help those much less well off than ourselves.

It has been a world-wide phenomenon that societies become less generous as they grow more prosperous, and we will not be immune from that trend unless we adopt a clear and defined target to meet. The size of our aid budget is a litmus-test of our commitment to civil rights and civilised values. We should adopt a target because we have benefited greatly from the generosity of others. It is in our own interest to help stop the cutting down of rain forests, global warming and the waste of fossil fuels. We can afford to do it, and it is the right thing to do.

Thirdly, as part of our Third-World development programme, we should have some provision for voluntary services overseas, particularly for young people or those with transferable skills. One of the most successful initiatives of the International Fund for Ireland (IFI) has been the wider horizons programme, which has taken young people from their local setting and sent them to other parts of the world where, at times, they have worked to help others less well off than themselves.

Programmes like the Duke of Edinburgh Award Scheme and Operation Raleigh have similar objectives. The results have been wholly beneficial in terms of personal growth and development and in fostering a wider perspective in the young people. It is also a useful corrective to the introspection and introversion which we are all prone to at times. In some cases it would be a local version of President Kennedy's Peace Corps.

Beside me is a large plastic bucket. I am not normally in favour of sticking-plaster solutions to major problems. We should have an integrated, strategic approach along the lines I have indicated. However, I am taking contributions from Assembly Members, officials, visitors and, of course, the media. A clerical Member of the House is well-known for appealing for a silent collection from his congregation — bank notes only. I want to make the same appeal today, and I want to assure Members that every penny contributed will go to the joint appeals from Concern International, Oxfam,

Save the Children, and Christian Aid. I want people to give until it hurts in a very immediate way.

**The Initial Presiding Officer:** Order. Earlier I made a ruling about newspapers. I am not sure that what I said applies in quite the same way to buckets. I have been on the look out for newspapers, but not buckets.

Everyone here is extremely supportive of the Member's sentiments. I suggest that on the specific matter of a public collection of funds it might be worthwhile for her to speak with me afterwards. There is nothing to stop a private collection around the party rooms. That is a matter for her and the other parties.

## ULSTER-SCOTS ACADEMY

**Dr Adamson:** My theme is an Ulster-Scots academy and the objective of a new east-west link. In the Good Friday Agreement under the heading "Rights, Safeguards and Equality of Opportunity — Economic, Social and Cultural Issues", paragraph 3 states

"All participants recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster-Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland."

Here is another version:

"Aithníonn na rannpháirtithe uile tábhacht na hurraime, na tuiscena agus na caoinfhulaingthe i ndáil le héagsúlacht teanga, ar a n-áirítear i dTuaisceart Éireann, an Ghaeilge, Albainis Uladh agus teangacha na bpobal eitneach éagsúil, ar cuid de shaibhreas cultúrtha oileán na hÉireann iad uile."

That was some sort of Irish, but not Ulster-Scots.

The following is in the language of my boyhood:

"Aaboadie takin pairt kens weel tha muckle thing it maun be fur tae hae carefu mind o an be gart thole wi owre ocht respeck anent oor throughither heirskip o leids, takin in fur Ulster tha Gaelick an Scotch leids, an tha leids o tha when ootlanner resydenters, ilka yin o quhilk bis part o tha fowk poustie o tha islann o Airlann."

Ulster-Scots is regarded by academic specialists, almost without exception unless they are totally politically orientated, as a regional variant of the Scots language, also known as Lallans or Lowland Scots, which is still spoken to some extent throughout Scotland, although it must be admitted that in many ways it is now almost residual and is treated as such in academic circles.

**Mr Shannon:** Will the Member give way?

**Dr Adamson:** I will give way only for Ulster-Scots.

**Mr Shannon:** It might take me longer to put it over, so my question will not be in Ulster-Scots.

Does the Member agree that one of the major differences between the proponents of Irish and those of Ulster-Scots is that the former use their language as a political weapon against our culture? Unlike Irish, the Ulster-Scots language and cultural tradition are to be found in both communities and are acceptable to all.

**Dr Adamson:** Ulster-Scots is stigmatised and has no status or recognition. Native speakers — I have been one, although I am no longer a great speaker of Ulster-Scots — who complete second and third-level education, abandon the language because of its low status. It receives no public funding, has no access to broadcasting or newspapers, and has no equivalent in the BBC to the Irish language or Gaelic in Scotland. It has no representatives on public bodies concerned with the arts, museums, cultural traditions or education.

For 400 years there has been no formal education in Scots or Ulster-Scots. The fact that the language has survived not simply as a spoken tongue but with its own literature is remarkable.

All Ulster-Scots writers since the lowland Scots settlers of the early 1600s (who were all taught in Scots), and all writers contributing to the enormous corpus of Ulster-Scots literature were self-taught. They had only the benefit of earlier and contemporary writings. None were schooled in Scots — all in English.

It is hardly surprising that Ulster-Scots literature has degenerated completely over the centuries. The vocabulary has been eroded at the expense of English in vernacular speech and in written works. The literary use of dialectal or individualistic pronunciation, spellings, or ignoring previously accepted standard Scots, is due partly to the erosion of the language and partly to ignorance about the Ulster-Scots literary tradition among Ulster-Scots themselves. I contend that that underlines the need for the establishment of an Ulster-Scots academy, and for a functional approach to language policy in association with the new Scottish Parliament, thus creating the new east/west link which would be of value to both.

The broad aim of the academy — taking Ulster-Scots out of a dark age of four centuries without any literary-based linguistic research — will involve the following: rediscovery of the Ulster-Scots literary tradition; encouragement of writing in Ulster-Scots and a renaissance of Ulster-Scots literacy; elevation of the linguistic study of Ulster-Scots to that of a living European language in its own right; and study of the grammar and syntax of the language. That is more or less what happened to Irish in the 1920s. Then, of course, there was no academic impetus to develop or sustain the Irish language, and Mr De Valera's translation department — believe it or not — was asked to do the job.

The promotion of Ulster-Scots in Scotland, or indeed Irish, should not be about kick-starting the languages — especially Ulster-Scots — to bring them roaring back into life and racing down the highways of the world. To think of them in that way grossly overestimates what education can do.

However, we can re-evaluate and teach aspects of Ulster-Scots which have been regularly ignored in the Northern Ireland curriculum. Such activities will promote a sense of identity by developing a deeper sense of the literature and culture of Ulster in all its forms.

We should not seek to produce a course of education with the intention of supplanting or even reducing the significance of standard English. In fact, quite the contrary. If our main business is to develop an expanded awareness of the diversity of language in Northern Ireland, this will necessarily develop the knowledge of the absolute need for standard English as a working language. We should therefore provide more support for English as the common tongue of these British Isles.

The Scottish Parliament will be a complex institution, centred, of course, on the shaping and enactment of legislation by its members, but undertaking a broad range of less prominent business as well. In assessing the ways in which Scotland's languages might be used, it would be better to look at things the Parliament will do and the ways in which Gaelic (Galic in Scots) might be used in specific contexts, rather than seek to devise a blanket policy, which would mean unachievable objectives or misallocated resources.

Resources will obviously be an important factor in shaping language policy, both here and in Scotland. Translation can be an expensive proposition for government in all its forms. It has been estimated, for example, that some 40% of the European Union's administrative budget is for translation and interpreting services.

The issue of value for money must always be borne in mind, but it must not be used as an excuse for an unduly restrictive approach. A policy that would ensure reasonable use of language in Parliament and in the Assembly, as opposed to a policy of total bilingualism or even trilingualism, would surely demand only a tiny share of the operating budgets.

I return to a letter that I wrote to Dr Mowlam on 22 April 1998 requesting an urgent meeting to discuss provision for Ulster-Scots. An acknowledgement was received from the Secretary of State's Private Office stating that a reply would be forwarded as soon as possible. No reply was received. Four times I telephoned the Secretary of State's Office. I was told

they would get back, but there was no return call — "Don't phone us; we'll phone you."

Everyone who signed the Agreement should be bound by it. Let me end with words from it:

"All participants recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland the Irish language, Ulster-Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland."

## EQUALITY

**Mr J Kelly:** Go raibh maith agat a Chathaoirleach.

It has been refreshing, a Chathaoirleach, to listen to someone speak in his native language without any disrespectful interruption, and I thank Dr Adamson for the manner in which he conducted himself.

I speak about equality. It would be remiss not to remember that this is the 200th anniversary of the United Irishmen's rebellion, which was based on the legend "Liberty, equality and fraternity" — equality being the cornerstone. It is well to remember too that that rebellion was spearheaded by Presbyterians who were seeking equality in their own land.

I quote from another document:

"The Republic guarantees civil and religious liberties, equal rights and equal opportunities to all its citizens and declares its resolve to pursue the happiness and prosperity of the whole nation and all its parts, cherishing all the children of the nation equally and oblivious of the differences carefully fostered by an alien Government which had divided a minority from the majority in the past."

That was not taken from the '98 declaration nor from the American Declaration of Independence; it was taken from the proclamation of 1916.

The proof positive of change for our community will be the experience of equality and parity of esteem. The reality of equality and parity of esteem means, for Unionists, the loss of their veto over political change and progress.

Let me paraphrase words of my Colleague and party leader, Mr Gerry Adams: "They have not gone away, you know." We have not gone away. By "we" I mean the Nationalist population of this part of this island. We have been here for generations. Our parents, grandparents and great-grandparents lived in this part of Ireland. They were born and wed, went through life and were buried here. We are not going to go away.

By the same token, we do not want the members of the other community to go away. They too have been a part of this island for centuries. That is where we start



from as Republicans, as Nationalists, in an attempt to work out a political framework within which we can be guaranteed equality of opportunity, the ability to strive for our political objectives, free from harassment and free from laws that would deny us our national identity.

As was mentioned in an earlier debate, the British Government have just released a consultation paper on public expenditure for the North of Ireland for 1999–2002 — the result of the comprehensive spending review launched by the Labour Party in May 1997.

This has serious implications for the equality agenda in the Six Counties. The Belfast Agreement was important because it placed the equality issue at the very heart of current and future political developments in Ireland. Nationalists accepted the Agreement on that basis. Now the British Government appear to be running away from that commitment as quickly as they can. It appears from the consultation document on the review that provision for Targeting Social Need has lost its status as a third expenditure priority. Targeting Social Need as a third expenditure priority gave recognition, on paper at least, to the fact that, by all major indicators of social and economic disadvantage, the Catholic community generally experiences higher levels of disadvantage. This is stated in the Government Paper 'Aspects of Britain'.

**Mr Hussey:** I resent the expression "the Catholic community", though I would accept "the community in the west" — an area where many Protestants live.

**Mr Maskey:** I thought that all Members had agreed that there would be no interruptions. Mr Hussey is using Mr Kelly's time.

**The Initial Presiding Officer:** It would be quite wrong for me to deny the Member an opportunity to permit an intervention.

**Mr J Kelly:** As I was saying, the Catholic community generally experiences higher levels of disadvantage. Even the Tories had a paper commitment to using Government expenditure in pursuit of equality. New Labour appears to have dropped that commitment.

In the CSR, the Government admit that there may be adverse consequences for the "new and reinvigorated" TSN and, in particular, "one or more PAFT categories". Given that resources for TSN appear to be solely targeted within health, education, and the welfare to work programme, it appears that TSN is no longer a priority. The Government suggest that their support for Springvale is somehow an alternative to TSN. One has to ask what meaningful impact Springvale will have on Nationalists and other equality constituencies west of the Bann? As the threat of serious job losses hangs over the textile industry in Derry, there is a pressing need for a reinvigorated commitment to using Government

expenditure to address the legacy of economic injustice and discrimination in the Six Counties.

The CSR document targets health and education as high priorities for Government expenditure, rather than giving an expressed commitment to Targeting Social Need as a whole. Does this mean that the Government hope to reduce inequality by targeting these two areas? Do the Government hope that there will be some trickle-down effect on women, the disabled, Catholics, Nationalists and ethnic minorities by increasing spending on health and education? Targeting need requires focused spending with goals, timetables and evaluation — not some nebulous commitment to economic development. In any democratic society, the targeting of these areas should be the norm. We are here in Stormont — which for many Nationalists represents the very seat of "the Protestant state for a Protestant people" — a domain of white, middle- and upper-class Protestant men.

We all need to get used to the idea that government in the North of Ireland now belongs to everybody. This institution, its government Departments and the policies developed should reflect this new reality. People need to accept not only that there are going to be Catholics about the place, but Nationalists and Republicans, disabled people, ethnic minorities, women and, dare I say it, lesbians and gays as well.

Equality is the key component in achieving "peace, stability and prosperity" in the North of Ireland, according to the Belfast Agreement. Yet in the consultation document on public expenditure, equality is not even mentioned as one of the key aims of the Comprehensive spending review. The four supporting aims mentioned in the document must, as a necessity, be underpinned by a commitment to equality and by policies and legislation to promote equality of opportunity and outcome.

Sinn Féin will continue to insist that equality is central to the whole process of government, including, crucially, decisions involving government expenditure. We will also continue to make government accessible to all the equality constituencies that, by discrimination, have been excluded from government in the past. To this end I will be hosting a consultative conference on equality at Stormont on 30 November. This is one way of getting government back to the people and making sure that Stormont and the rest of the apparatus of government is returned to the people of the Six Counties.

As Sinn Féin's equality spokesperson in the Assembly, I will be hosting the conference. Involvement will extend to as wide a representation of equality constituencies as possible, and the conference will be open to anyone who wants to attend. There will be three key inputs. First, there will be input from key



experts who will provide context setting and models of good practice. Speakers include Haroon Saad, the head of the Equal Opportunities Unit at Birmingham City Council. Second, there will be input from all the parties in the Assembly on their vision of how to progress the equality agenda, and third, there will be input from all the key equality constituencies — women, Nationalists, minority ethnic groups, disability groups, lesbian and gay groups, youth and older people's groups, and so on.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Mr J Kelly:** We will not be trying to direct the content of discussion in the consultative conference, but we want to ensure that all the equality constituencies are well represented.

There should, however, be some tangible outcome in terms of broad commitments to the equality agenda. We have to put equality at the centre of government in the Six Counties, and this is one way of beginning to do that.

**Mr Hussey:** I understood that in an Adjournment debate interventions were allowable, with the permission of the Member speaking.

**The Initial Presiding Officer:** The purpose of this type of Adjournment debate, which those who are Members of other Houses will realise is atypical, is, over a number of sittings, to give Back-Bench Members who have not spoken a chance to do so. That is why those who have made substantive contributions have been excluded.

The Member may accept an intervention or not. As I said at the end of the last sitting, if a Member accepts an intervention, it will come out of his or her time. That is one of the differences between interventions and points of order. Interventions are not in themselves out of order, but Members should not feel any compulsion to accept them.

**Mr Maskey:** I do not object to someone asking any of my colleagues a question, but it was agreed by all of the parties at the initial CAPO meetings that the format of these debates would be precisely as you have outlined, Mr Initial Presiding Officer. Members who are not able to speak in the normal cut and thrust of debates are able to make their points. They can get up and address matters, perhaps in relation to their own constituency, or some other matter such as was raised today by Ms Hanna, for example, or Mr Adamson. It is not a question of objecting to people intervening; it is a question of acknowledging the nature of this format which is to allow people to ask questions unhindered.

## IRISH LEAGUE FOOTBALL

**Mr Hilditch:** I would like to take this opportunity to bring before the House two issues concerning the future of Irish League football. When or if this Assembly ever gets around to dealing with the social affairs of the people of Northern Ireland, the Minister responsible for sport will find these matters sitting prominently on his desk.

*5.00 pm*

The first issue is health and safety. Since May 1993, local authorities have been the enforcing bodies for the health and safety legislation for sports grounds. However, the existing legislation is limited in Northern Ireland, and that means that only piecemeal improvements have been made. This is disappointing as soccer can still attract crowds to venues which do not lend themselves to effective crowd management.

Prior to 1990, safety problems experienced mostly at soccer grounds had been blighting sport in Great Britain for a number of years. Incidents such as the disasters at Ibrox, Bradford and Hillsborough had focused attention on the subject, specific legislation was enacted to improve safety. This legislation requires safety certificates to be issued by local authorities to ensure that clubs implement the recommendations contained in the Taylor Report.

**Mr R Hutchinson:** Does the Member agree with me that unless the tranche of money which is being held by the Secretary of State for Irish League Football grounds is used to help football teams in the premier division and in the first division that are faced with bills for health and safety, many of them will be put out of existence? That is sadly the case with Carrickfergus and with Larne, where I come from and where there has been a strong tradition of Irish League Football.

**Mr Hilditch:** I welcome my Colleague's support.

Funding has been made available to help clubs in England, Wales and Scotland meet this safety standard. Generally this has resulted in a healthier viewing environment in sports grounds throughout Great Britain. Similar legislation, coupled with the appropriate funding, could now be introduced in Northern Ireland with appropriate control to ensure that it was properly applied.

Although the very large crowds which attend cross-channel events are not a feature of life in Northern Ireland, the figures are still of sufficient size to initiate safety concerns. It is clear that persevering with the existing health and safety legislation will achieve little and that more direct controls are essential. Failure to introduce these controls places spectators at risk, imposes an unnecessary burden on enforcement officers, police and the emergency services and leaves Northern Ireland with a sporting environment in which

there is the potential for a major incident at any time. Either Westminster or the Assembly must act before it is too late.

As I have already said, the legislation specific to football-ground safety in Great Britain has not been enacted in Northern Ireland, and inspectors have resolved the problem using existing health and safety legislation. Inspections have been carried out at a number of venues, and these have revealed a number of structural problems, while interviews with clubs and the governing body and liaison with police and emergency services have indicated that serious safety management problems exist.

To date, local authorities have had difficulties in achieving significant improvements owing to the absence of specific legislation and, especially, funding. One has only to look at Coleraine Football Club, as an example, where £250,000 must be found to implement the recommendations. It is impossible for any club to meet and absorb these costs in an already back-to-the-wall financial climate.

On the positive side, an inter-departmental committee was set up comprising representatives from the local authority environmental health departments, the Department of Education for Northern Ireland, the Department of the Environment, the Health and Safety Agency, the RUC and the Sports Council for Northern Ireland. It met regularly to discuss progress, and a working party was set up in 1992 to review controls over safety in grounds in Northern Ireland.

It is understood that a final report has been prepared which is currently with the Department of Education. However, despite the support of successive Conservative and Labour Governments, the latest word is that it is now the intention to leave this matter to the Assembly in the hope that a slot can be found to include this extremely urgent and very important piece of legislation in our programme.

It should be noted that the required funding will be between £20 million and £25 million on a phased basis. Let us hope that we do not have a major disaster at any of our grounds while we await the legislation and funding becoming available! Our senior clubs' grounds compare very favourably with those in the lower divisions in England's football league and even more so with clubs from the second and third divisions of the Scottish League, each of whom has obtained substantial financial assistance to upgrade those grounds and, in some cases, to build new stadiums with a 75% grant.

As part of the present Government's commitment to assisting all recognised soccer leagues in the United Kingdom to meet acceptable standards, I demand that proper recognition and assistance be given to the administrators, management, players and

supporters of the Irish League who have kept football alive for 30 years during our darkest days.

In the same vein, the aforementioned people deserve clarification on another issue, the much hyped and publicised alleged relocation of Wimbledon Football Club to Belfast and the establishment of Belfast United. First, I ask Wimbledon Football Club to state publicly if it is its intention to relocate to Belfast. If it should confirm or deny the name change to Belfast United, I would then ask whether it is its intention, if it relocates, to pay the six-figure sum package similar to that offered to Dublin clubs some time ago.

Secondly, I call upon the Government to clarify whether they intend to release land, at a cost of approximately £2 million to the taxpayer, to a private business consortium. If this figure is the Government's commitment, who then will build a stadium at an approximate cost of £55 million, considering its limited use, with other existing long-term leases at other venues?

Thirdly, and lastly, we need to know if the English FA Premiership and UEFA are both prepared to break or amend their rules to allow a club of such stature to be based in Northern Ireland. Clarification on these points is urgently required to allow the Irish League to map its own future, otherwise it is back to pie in the sky. The public and the administrators of our local game have the right to know what is going on behind the current media headlines, which are creating the uncertainty. Members can obtain more information from their local clubs.

At some stage in the future, the Assembly will be making some important decisions on the future of Irish League football.

**Mr Shannon:** Would Mr Hilditch like to comment on the controversy currently raging in the local press on the match between Donegal Celtic and the RUC? Also, does he agree that the political activists were totally defeated in their spiteful and vindictive interference in football, and in sport in general?

I welcome the match, and the football teams, to Castlereagh Park, in my constituency of Newtownards.

**Mr Hilditch:** I welcome, as I am sure will the Assembly, the brave decision of Donegal Celtic Football Club in not scoring an own goal and going ahead with the Steel and Son's Cup semi-final at Castlereagh Park against the RUC, but instead kicking Sinn Féin into touch.

## **ELECTRICITY SUPPLY (NEWRY AND ARMAGH)**

**Mr Fee:** Thank you, Mr Initial Presiding Officer, for the opportunity to raise a matter of intense aggravation to the people of my constituency. This is a seasonal problem that almost exclusively affects people in Newry and Armagh, particularly South Armagh. I say “almost exclusively”, because I understand that there was quite extensive loss of power in County Down last night and, indeed, today.

My sympathy goes to those people who have suffered a terrible intrusion to their life and homes when they experienced a loss of power. However, it was an occasional experience for those people in County Down, yesterday and today. For the last six or seven years there have been extensive power failures in Newry, Armagh and the South Armagh region in the weeks running up to Christmas. In each of the last five years there have been prolonged blackouts on Christmas Eve, Christmas Day and continuously through to New Year’s Day in some or all parts of Newry and Armagh.

The Assembly has a timely opportunity today to hear of some of the problems that this situation has created. At some point in the future, it may fall to the Assembly to take action to challenge the monopoly position that NIE enjoys, to challenge their performance record, and to stand up for electricity consumers so severely disadvantaged by the contractual arrangements that allow NIE to make extortionate profits. These arrangements allow NIE to charge the highest electricity prices in Great Britain or Ireland and to engage in blatant profiteering.

It is timely also because, just as winter is drawing in again, the first major power failure of the season occurred in South Armagh on Tuesday 20 October 1998. The entire region from the Fathom Line at Newry to the border at Cullaville was without electricity for a number of hours. Obviously, the second major failure happened in County Down last night and this morning.

If this is the portent of things to come for this Christmas, there will be hell to pay. I assure Members that, as a representative of the Newry and Armagh constituency, I will ensure that the buck stops where it should: with the board of NIE.

No one should have any doubt that the substantial loss of power creates profound problems, particularly for people in isolated rural areas.

It creates obvious problems for the elderly and infirm who cannot heat their homes or cook meals, have no alternative light and may, in some cases, be completely isolated in their homes. It is a frightening, threatening, unsettling experience for many and indeed life-threatening for some. It creates many obvious problems for couples and families with young children who need bottles warmed by day and night and a

continuous supply of clean clothes and nappies. These things simply cannot be done if there is a prolonged power cut.

There are less obvious problems. Road safety is compromised if street lighting is knocked out. Food in fridges and freezers begins to defrost, affecting every home, every grocery store and every corner shop. Any electric appliance operated by a timer is, inevitably, affected — computers, video recorders, central heating systems, burglar alarm systems, hands-free phone sets and so on. It can be an expensive business with no statutory entitlement to compensation for losses.

Nobody will grumble too much if this is an occasional problem, like the County Down problem, caused by exceptional storm conditions or snow fall. The situation in Newry and Armagh, however, does not fall into that category. For seven consecutive winters there have been prolonged and repetitive power failures at the same time of year and in the same locations. No amount of meetings, letters or petitions has so far elicited a guarantee of secure power supply in my constituency. That is not to say that nothing has been done.

In 1993 the then Minister, Mr Atkins confirmed that £195,000 would be invested in the distribution network around the Camlough area. We were led to believe that this would resolve the problem — it did not. We were told that part of the network was obsolete and needed replacement. We were told, in some cases, that vandals were to blame for the failure of the supply. We were told, in other cases, that bad weather had caused the blackouts.

All sorts of solutions were proposed by various Ministers and officials — Mr Atkins in 1993, Michael Ancram in 1995, Malcolm Moss in 1996, and Baroness Denton at the beginning of last year. We were told that a new 33 kV line serving a new station at Newry would solve the problem — it has not. We were told that the refurbishment of the 11 kV line towards Jonesborough would solve the problem. It has not. We were told that the strengthening of the sub-station at Silverbridge, with larger transformers and a new switchboard, would solve the problem. It has not. We were told that the refurbishment and upgrading of the lines in the Crossmaglen area would solve the problem. It has not. We were also told that the creation of a new 33 kV circuit in the Slieve Gullion region would solve the problem. To date it has not.

I am not ungrateful for these efforts and for the investment. I am, however, disturbed because although most of this work was completed by last Christmas, it did not prevent the complete loss of power in the Jerrettspass area between Christmas Eve and December 27. For four solid days, over a holiday

period, people could not cook or heat or light their homes.

I worry because even though all this work has now been completed, yet again we have had two major supply failures in the last three weeks. The dreadful pattern of winter power losses appears to be with us still, in spite of all the apparent strengthening of the system. I have asked myself what is the cause of this problem.

Is it the case that there is a pattern of peculiarly inclement weather in my home area which sets it apart from the rest of Northern Ireland, creating unique problems for the maintenance of a secure power distribution system? If that is true, how can so many people in that part of Newry and Armagh look out of their windows at night — as I can — and see the lights of Dundalk, Louth and Monaghan shining brightly in all weather?

Is it the case that the equipment continues to be so defective that it simply cannot cope with normal demands? That would be extraordinary given the litany of improvements that we have been told have been carried out. It would be insulting to people who live in an area through which the North/South electricity connectors stride across the landscape with scores of enormous, ugly pylons carrying their load of electricity for export to the Republic of Ireland.

The real answer to this wholly unacceptable situation can only be surmised by piecing together a number of replies to enquiries by the local MP, councillors and the district councils. In a letter to Newry and Mourne District Council the local manager of NIE referred to a huge increase in demand at Christmas. Subsequently, in a ministerial reply, it was confirmed that the annual growth of demand in Armagh city was precisely 2.5%, and in Newry and South Armagh 2.7%.

5.15 pm

Given such modest increases in the overall demand for power, and taking into account the fact that there are no massive consumers of electricity in the Newry and Armagh area — no large industries, not many hotels, restaurants or discos, and only one acute hospital — I am at a loss to know where this huge demand is coming from. Only a truthful answer from Northern Ireland Electricity will allow us to see the truly pernicious nature of this problem.

Of course, there is a huge increase in demand during the winter, particularly at Christmas, caused by the weather and by people staying at home over the holiday period. But the huge increase in demand is not in the hills of south Armagh; it is in large urban areas, such as Greater Belfast, Derry and Craigavon. The power supply to those areas has been secured for seven or eight years now by the deliberate “tripping out” of supply in rural areas. This is unfair, unjust, inequitable and possibly illegal. In any case, it is unacceptable, and it must stop.

I am glad to have had the opportunity to raise this matter, a running sore for my community, and the House will hear more of it if families are left once again with cold turkey on Christmas Day, if Christmas trees have no lights and if elderly people are left without heat.

**Mr Kennedy:** I agree that there are many elderly people who suffer greatly if there are problems with heat during the winter, and I support the Member's comments on this issue.

**Mr Fee:** I thank the Member for his support.

If we have the same situation this Christmas, Northern Ireland Electricity will have to deal with a real “power struggle”.

The Assembly was adjourned at 5.18 pm.



# THE NEW NORTHERN IRELAND ASSEMBLY

**Tuesday 15 December 1998**

*The sitting began on Monday 14 December 1998 was resumed at 10.30 am.*

## **PRESIDING OFFICER'S BUSINESS**

**The Initial Presiding Officer:** Before moving to item 5 on the agenda I wish to draw some matters to the attention of the Assembly.

First, the debate on the motion and the amendments to it will be time-limited to five hours and will be followed by the Adjournment debate.

Secondly, three amendments have been tabled and are published on the Marshalled List. All of these are competent and have different effects. Therefore all three may be moved in the order in which they appear on the list. The motion will be moved and then each amendment in turn, with Mr Neeson's second amendment moved formally. At the end of the debate the votes on the amendments will be taken in the order in which they appear on the Marshalled List.

I will remind Members then, as I do now, that if amendment 1 is carried, it then becomes the substantive motion, and amendments 2 and 3 fall. If amendment 1 is not carried, but amendment 2 is carried, it similarly becomes the substantive motion, and amendment 3 falls. If amendments 1 and 2 are not carried, and amendment 3 is carried, it is then added to the motion, and the substantive motion, as amended, is voted upon.

The Standing Orders have given rise to a further technical problem. Once amendments are moved, it is not possible under our Standing Orders for a Member to have right of reply and to speak for a second time. Also it is not technically possible for the mover of an amendment, subsequent to the debate — and perhaps influenced by it — to withdraw his amendment.

There being no opportunity under the Standing Orders for the mover of an amendment to speak for a second time, and since it seems only proper that an amendment should be able to be withdrawn if its mover so chooses, I will give an opportunity to the mover of

each of the amendments to indicate whether or not, at that point, his amendment is moved.

I remind Members that, with Royal Assent having been given to the Northern Ireland Act, the Assembly now has absolute privilege, rather than the qualified privilege that obtained before. However, this does not remove the obligation on Members to remain within the bounds of civility and reasonable courtesy and, indeed, to observe the proprieties of parliamentary conduct in parlance. I will try to ensure that these are adhered to in whichever language is used.

**Rev Dr Ian Paisley:** On a point of order, Mr Presiding Officer. If a Member wishes to withdraw his amendment does he simply stand and do so formally, or does he have a right to speak?

**The Initial Presiding Officer:** I will clarify the position again. Unfortunately, the Initial Standing Orders do not provide for the mover of an amendment to speak again or to wind up, as is the case in other places.

A Member who moves an amendment must have an opportunity to withdraw it. Otherwise it would not be possible to have a probing amendment or to have one's course of action influenced by debate. I will therefore ask the mover of each amendment, at the appropriate point, if he still wants his amendment to be moved. This will not be giving an opportunity for a further speech; it will simply be giving an opportunity for a mover of an amendment to indicate whether he wants to proceed with his amendment or to withdraw it at that stage.

**Mr Hussey:** On a further point of order, Mr Presiding Officer. I am concerned about remarks made on the radio this morning regarding the designation of Members of the Assembly. The Leader of the Alliance Party asserted that the terms "Nationalist" and "Unionist" were sectarian labels. I request that you rule on that and, if your ruling is as I believe it should be, that you ask the Leader of the Alliance Party to withdraw his remark.

**The Initial Presiding Officer:** In the Assembly, the terms that you mention are proper parliamentary parlance. Their use outside the Chamber, and for political purposes, is another matter, on which it would not be proper for me to rule. For the purposes of the Assembly, the terms "Unionist" and "Nationalist" are an essential part of the rules of procedure.

**Mr Neeson:** Further to that point of order, Mr Presiding Officer. Mr Hussey having given me notice that he was going to raise this issue I consulted my dictionary. Against the word "sectarian" one finds "member or adherent of a sect".

**The Initial Presiding Officer:** What you are saying may be a proper justification of things that you have

said elsewhere, but it is not a point of order at this stage.

**Mr McGrady:** Mr Presiding Officer, can you give a technical clarification of the Order Paper as originally set out? A footnote about Mr McCartney's motion indicates that the 14 days mentioned there would extend to Monday 18 January 1999 because of the Christmas recess. Despite the Christmas recess dates that you announced yesterday, all the amendments indicate a performance date of 21 December. How does the recess impinge on that? What procedures would the Assembly follow if any of these amendments were carried?

**The Initial Presiding Officer:** It is generally regarded as preferable for motions to refer to performance dates — as you elegantly describe them — rather than numbers of days. Where numbers of days are included in the terms of a motion, they are to be taken as working days, which do not include weekends or recesses. The date of 18 January was chosen because consultations with my Advisory Committee indicated that a two-week recess commencing on 18 December would be appropriate.

However, it would be entirely proper for the Assembly to be recalled during the recess to deal with any urgent matters, should that be its wish. That could be done, and would probably best be done in liaison with myself. The Secretary of State is content to oblige us in that regard. Therefore if a resolution were to require a report by 21 December, and the report could not be available before that date, there would be consultations and perhaps eagerness to have a sitting to enable the report to be received as soon as it was available. But it is not for me to give a ruling when the motion, amended or not, has not been passed.

## BELFAST AGREEMENT

**Mr McCartney:** I beg to move the following motion:

Noting that

- a. no proposals under paragraph 16 of strand one of the Belfast Agreement have yet been made,
- b. actions set out in paragraph 8 of strand two of the Belfast Agreement have not been achieved,
- c. any party inextricably linked with a paramilitary organisation retaining arms cannot give a total and absolute commitment to exclusively democratic means of resolving differences on political issues or oppose the use or threat of force by others for such purposes,

this Assembly calls upon the First Minister (Designate) and Deputy First Minister (Designate) to lay a report on these matters before the House within 14 days.

I hope that the motion will command support from every democrat in the Assembly, regardless of party. The Assembly aspires to create democratic institutions of government for the benefit of every citizen, regardless of creed or political loyalty. No democratic institution worthy of the name, can exist if it contains the political representatives of an unlawfully armed organisation which is committed to bringing about change by the use or the threat of acts of terrorism. Such an organisation which states that if the aims of those who speaks for it politically, and with whom it is inextricably linked, are not met, it reserves the right to achieve those aims by the use of violence and to retain the weapons that it currently possesses to make good that threat.

The Belfast Agreement has the avowed purpose of bringing peace through democratic institutions of government, and is alleged to contain the recognition of the principle that any change in Northern Ireland's constitutional position can be brought about only with the consent of the majority. Sinn Féin/IRA have never subscribed to those principles.

What is more important is that no agreement can set aside the fundamental principles of democratic procedure. No agreement can override or supersede the central and basic principles of democracy itself, nor can any political party in a democracy claim that it has an electoral mandate to substitute violence for peaceful persuasion and threaten democratic institutions with violence if its demands are not met.

There is no record of a minority grouping ceasing to use violence for political aims before its objectives have been achieved or the forces of democratic Government have defeated it. The IRA is no exception.

At the beginning of the peace process the fundamental principles of the democratic process were emphasised. It was made clear that the requirements for participation were not the demands of parties, or the conditions imposed by parties, but were the essential demands of democracy itself. To use or threaten violence is a violation of democracy, and a determination to retain weapons and the means of violence constitutes a threat in itself.

The Downing Street declaration of 15 December 1993 made it clear that a permanent end to the use of paramilitary violence, or support for it, a commitment to exclusively peaceful means, and adherence to the democratic process were the necessary criteria to establish the entitlement to participate in democratic politics and enter into dialogue. After the joint declaration, Dick Spring, at that time the Republic's Foreign Minister, gave Dáil Éireann his Government's understanding:

“We are talking about the handing up of arms and are insisting that it would not simply be a temporary cessation to see what the political process had to offer. There can be no equivocation in relation to the determination of both governments in this regard.”

10.45 am

From that moment the history of both Governments on this issue has been the opposite of that statement. Far from witnessing unequivocal determination, it has been one of temporising vacillation and weakness. Successive positions have been taken up only to be resiled from in the face of the threat of violence. The IRA, like Hitler in 1938, must have been utterly astonished at the weakness of its adversaries.

On 1 June 1994, in Dáil Éireann, Mr Spring repeated

“There is little point in bringing people into political dialogue if they are doing so on the basis of giving it a try and if it does not work, returning to the bomb and the bullet”.

That is what Assemblyman Molloy told a Sinn Féin audience they would do if the political process did not yield the required results: they would go back to doing what they do best. In order to do so, they must necessarily retain their weapons and their Semtex. It is that threat, and capacity to make the threat good, that has produced in successive British Governments a craven policy of appeasement, of surrender to every threat of renewed mainland violence, of concession to every fresh and increasing demand from a criminal conspiracy.

Throughout the talks, the Government’s line was one of a twin-track policy of decommissioning in parallel with political progress towards an agreement. Who did not hear this twin-track policy being repeated with nauseating regularity by the Secretary of State, Dr Mowlam? During the talks not a single bullet, or ounce of Semtex was delivered.

An agreement was reached at the end of those talks on 10 April 1998. The talk’s train left the station and reached its destination, but the decommissioning train never left at all. Since 10 April 1998, not one single bullet has been handed over nor, according to the IRA, will one ever be handed over until their objective of a united Irish Socialist republic is achieved.

At every point Unionists who trusted the Government were deceived by promises and pledges that were never intended to be fulfilled. How has the principle been observed that only those abiding by the democratic process would be free, not just to participate in politics but to participate as Ministers in Government? How could the Prime Minister and the Secretary of State contemplate having as Ministers in Government members of a party, which they both claim is inextricably linked not only with an armed terrorist

organisation but publicly declares its intention to remained armed until its political objectives are achieved.

The proposal to place Sinn Féin in government under these circumstances is utterly outrageous and does such violence to the principles of democracy as to make it possible only if the people have been brainwashed into oblivion. Is there anyone with the remotest interest in political life who does not know that the highest offices in both Sinn Féin and the IRA are occupied by the same people? In ‘The Sunday Times’ last week it declared what we already know: Mr Adams and Mr McGuinness are members of the seven-man IRA army council. They are inextricably linked; they are welded together.

While General Pinochet is threatened with extradition, while Saddam Hussein is threatened with extinction, Messrs Adams and McGuinness are welcomed through the front door of Number 10.

Why? Because they, unlike Pinochet and Saddam Hussein, have the capacity, through their inextricable links with the IRA, to threaten destruction on the financial heart of the City of London. For this reason, while declaring Sinn Féin and the IRA to be inextricably linked, Sinn Féin was accepted in the Belfast Agreement as separate and distinct from the IRA. This fiction enabled Sinn Féin to confirm a commitment to the total disarmament of all paramilitary organisations — the same fiction that enabled it to sign up to the Mitchell principles.

The reality, as opposed to the fiction, is that neither Sinn Féin fronting the IRA nor the PUP fronting Loyalist terrorists has any connection whatever with democracy or its fundamental principles. They are the political masks for organisations who have murdered, mutilated and destroyed; organisations which to the present day are engaged in murder, shootings, beatings, intimidation, forced exile, extortion and every form of crime.

The ceasefire is a macabre fraud. Since the beginning of 1998 nearly 500 acts or threats of violence from murder to enforced exile have been recorded by Families Against Intimidation and authenticated by the RUC. Let me give Members the roll-call. Brutal beatings and shootings are a daily occurrence. From 1 to 25 November (last month) the IRA exiled nine people, intimidated 67, shot two people and beat seven severely — a total of 85, and they are just the ones we know about. By the end of the month the number was actually over 100. Let us look now at the Loyalists’ cricket score — exiles, nine; intimidations, 48; shootings, five; beatings, seven — a total of 69.

The Secretary of State and the security Minister, Adam Ingram, simply ignore these facts as unhelpful to the peace process. It is no excuse to say, as the

Secretary of State responded to me in Parliament, that there is no evidence against the individual perpetrators. Of course there is no evidence, because those who are beaten are threatened with murder, and those who are exiled are threatened with death if they remain. But these fully authenticated brutalities are not simply the work of individual perpetrators.

The indictment is not against individuals; the indictment is lodged against the organisations and the political parties who front them and mask them. These fully authenticated acts of brutality are being carried out in areas which the police, indeed the Chief Constable, admit are dominated by paramilitary groups — the IRA and the UVF — that are fronted by parties in this Assembly.

Do Members recall that during the period of President Clinton's visit not a squib went off and no one was injured? Do Members recall the six-week sanitisation period that was required before the entry to talks? Not only were there no explosions, not only were there no attacks on the military forces, there were no beatings, there were no shootings, there were no exiles and there were no intimidations. Why? Because Sinn Féin/IRA decreed that there would be none. It would not have been politically expedient for them to have been carried out.

Let me finish by saying this: no mandate, no agreement, no government, no parties can supersede or set aside the fundamental and immutable principles of democracy, morality and justice.

I have different political aims and objectives from the SDLP and from others in the Assembly. However, I share with the SDLP and most of the other parties here a belief in democracy. Violence has no part to play in a political party. A party that claims to be democratic cannot be inextricably linked with terror, murder, mutilation and death.

There is a way forward — and I say this without malice or political gain, but as a democrat. It will entail every party, both Nationalist and Unionist, recognising that the common bonds of democracy are infinitely preferable in the long run to the bonds of an Irish Nationalism that yokes people to a party inextricably linked with the forces of Republican terror. I call upon all democrats, all people of goodwill, all people who are revolted by political violence and terror to join with me, regardless of party, to support this motion.

**Mr Neeson:** beg to move Amendment No 1: Leave out all the words after "Noting" and add

“(a)the overwhelming public support for the Belfast Agreement,

(b)the public concern at continuing violence and threat of violence by paramilitary groups and the refusal of some parties to oppose the use or threat of force by others,

(c)the failure of Unionism and Nationalism to reach an accommodation which would allow the implementation of paragraph 16 of strand one and paragraph 8 of strand two of the Belfast Agreement,

(d)the failure of the First Minister (Designate) and the Deputy First Minister (Designate) to produce a report on the issues set out in the Assembly resolution of 1 July,

this Assembly calls on the First Minister (Designate) and Deputy First Minister (Designate) to lay a final report on these matters before the Assembly by 21 December.”

I reaffirm my strong support for the Belfast Agreement. It was a long process, and the agreement was a compromise but an honourable one. The people of Northern Ireland and the Republic of Ireland voted in their thousands to show their support for those who reached this agreement on Good Friday. The strongest opponents of it are those who walked out. There are now threats from individuals to walk out if an Executive is formed. This is a good agreement, and it is my party's wish to have it implemented without any further delays.

The vast majority of people of Northern Ireland and of the island of Ireland want to see the agreement working. Mr McCartney referred to the document released yesterday by Families Against Intimidation and Terror (FAIT), which underlines the continuing violence in our society. Almost 1,000 children in Northern Ireland this year have suffered from human-rights abuses. This is unacceptable in any civilised society.

The problem of the continuing violence dates back to the talks process when the Mitchell principles were diluted not only by the two Governments but by the participants of the process. The Alliance Party raised several issues of dispute about breaches of the Mitchell principles. Neither Government acted on any of these issues. The problem started there.

*11.00 am*

The importance of the Alliance Party's amendment is that it underlines concern in Northern Ireland not only about the continuing violence but about the threat of violence. I am greatly concerned that some Assembly Members still refuse to oppose the use or the threat of use of force by others for political means.

As Mr McCartney rightly said, the violence comes from several sources. I was deeply shocked and disturbed by the IRA's statement last week. Decommissioning is an essential part of this process. It was an important part of the agreement and the Assembly cannot fudge the issue. My aim and that of my Colleagues is to ensure that decommissioning is carried out as part of this process.

**Mr Roche:** Will the Member give way?



**The Initial Presiding Officer:** The Member does not have to give way. Only on points of order must a Member give way.

**Mr Roche:** I was merely asking the Member if he wished to give way.

**The Initial Presiding Officer:** Persistent enquiries as to whether a Member will give way are merely attempts to interrupt.

**Mr Neeson:** Thank you, Mr Presiding Officer. I regret that of all the paramilitary organisations in Northern Ireland, at this stage only the LVF seem to be prepared to start the material decommissioning of weapons. I hope that all sides will soon start the handing over of weapons.

Part of the Alliance Party's amendment refers to the sitting of the Assembly on 1 July, when the House unanimously commissioned the First Minister (Designate) and the Deputy First Minister (Designate) to move the process forward. The resolution states

"The Assembly invites the First Minister (Designate) and Deputy First Minister (Designate) to consider and, after consultation, make proposals regarding matters referred to the Assembly under section 1(2) of the Northern Ireland (Elections) Act 1998 and any other matter connected with the future business of the Assembly and report to the Assembly by 14 September 1998."

The deadline of 14 September has come and gone. I remind Members what paragraph 8 of the agreement says:

"During the transitional period between the elections to the Northern Ireland Assembly and the transfer of power to it, representatives of the Northern Ireland transitional Administration and the Irish Government operating in the North/South Ministerial Council will undertake a work programme, in consultation with the British Government, covering at least 12 subject areas, with a view to identifying and agreeing by 31 October 1998 areas where co-operation and implementation for mutual benefit will take place."

Sadly, 31 October has come and gone, and it does not reflect well on the First Minister (Designate) and Deputy First Minister (Designate) that that deadline has been missed.

The latest failures — only last week — to reach an agreement on structures of government for Northern Ireland and on the North/South implementation bodies have caused a great deal of despair. Unionism and Nationalism could not agree, and that is the bottom line. It is absurd to hear, particularly from some Unionists, calls for three Nationalist and three Unionist implementation bodies.

What should be foremost in their minds is the setting up of Government Departments and implementation bodies for North/South relations that will be for the good of the people of Northern Ireland and for the good of the people of the island of Ireland. That should be the

first priority, not that there are three Unionist and three Nationalist implementation bodies.

Meanwhile, as they fudge around, the extremists on both sides are surfacing. Members will be aware of the violence in Derry on Saturday; I hope that there will not be any violence in Portadown this Saturday. Clearly, the continuing threat from the Real IRA and the Continuity IRA does create problems. Where a vacuum exists, and we have experience of 30 years of violence in Northern Ireland, the extremists on all sides take advantage.

The Assembly charged the First and the Deputy First Ministers with responsibilities. Yesterday we had an excellent debate on proposals for a natural gas pipeline for the north-west and another debate on health issues with the Minister. It was clear from both those debates that Members from all parties want to see the transfer of power to the Assembly.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Mr Neeson:** Powers will only be transferred to the Assembly when structures are in place, and agreement has not been reached on the Government bodies for Northern Ireland and the implementation bodies.

It is the duty of the First Minister (Designate) to reach an agreement as quickly as possible. For that reason, in our amendment, the First Minister (Designate) and the Deputy First Minister (Designate) are asked to report to the Assembly next Monday. I hope that this will be achieved and that this matter will be resolved before Christmas.

**The Initial Presiding Officer:** I call Mr McLaughlin to move the second amendment on the list.

**Mr McLaughlin:** Go raibh maith agat, a Chathaoirleach.

**Mr Haughey:** On a point of order, Mr Presiding Officer. I and some of my party members have only been issued with copies of the Alliance Party's first amendment and not with copies of amendments 2 and 3.

**The Initial Presiding Officer:** I apologise that you do not have the papers. At no stage was there a list with only the first amendment. The amendments submitted last evening were those that appear as amendments 1 and 3 on the list. That was published yesterday evening. The third amendment was tabled by 9.30 this morning, and the marshalled list was published. That list was to have been placed in all pigeon-holes, on all notice boards, in the Printed Paper Office and in the Lobby. My apologies if that has not occurred.

**Rev Dr Ian Paisley:** Further to that point of order, I understand that this list was given out at one door but

not at the other door. Why could it not have been given out at both doors?

**The Initial Presiding Officer:** It was not a matter of papers being given out at the doors. They were to have been made available in all pigeon-holes, on all notice boards and in the Whips' Offices, and a stock was made available at the Lobby desk. We were attempting to take a belt-and-braces approach. It appears we should have had an elasticated waist as well.

**Mr McLaughlin:** Go raibh maith agat, a Chathaoirligh.

I beg to move amendment No 2: Leave out all the words after "Noting" and add

"the overwhelming public support for the peace process, this Assembly calls on the First Minister (Designate) and the Deputy First Minister (Designate) to produce a final report on the implementation of the Belfast Agreement, as mandated on 1 July 1998, to the Assembly no later than 21 December 1998."

It was to be expected, given the fractious nature of earlier discussions between the various brands of Unionism, Nationalism and Republicanism, that today's debate would continue in that unfortunate vein. This fractiousness flies in the face of the clearly expressed will in our community to find a new way of dealing with issues that have traditionally divided us. All politicians and political parties will have to cross the chasm of mistrust that exists as a consequence of the conflict and division. We must find a new language and learn to hear each other. We must also learn to understand the fears and worries of each other's community.

It has to be pointed out, and this is a simple statement of fact, that there is no such party as Sinn Féin/IRA. No such party signed up to the Good Friday Agreement.

**A Member:** Does the Member believe in Santa Claus too?

**Mr McLaughlin:** Well, some people might believe in Santa Claus, and I will leave that with the Member to decide.

Some parties have shown open-mindedness and generosity and have recognised the different contributions that have made the peace process possible. Combined contributions were made in spite of the ungenerous, begrudging and hostile attitude of people who claim to be constitutional politicians. They seem to have a paranoid fear of the silence of guns; they seem to depend on continued conflict to justify their own political analyses and, in some cases, to sustain their political careers.

What do people have to fear from peace? That is the question we have to ask and the reason Sinn Féin is moving its amendment. Why are Members so

frightened of the alternative to what we have experienced throughout the history of this sectarian statelet?

I do not use this language to offend. It is a matter of historical fact. When I talk to individual Unionist and Nationalist representatives, they are prepared to accept it, and if they can accept it privately, why can they not accept openly the need to work collectively to create a new political dispensation for us all?

The Sinn Féin mandate, which has been so vociferously challenged from across the Floor, has been validated, renewed, reinvigorated and strengthened in election after election. Sinn Féin is a registered political party — open and transparent. Our books may be examined, and our books have been examined. Sinn Féin's analysis and policy is decided at our annual party conferences, at our ard-fheis, in open debate. The media are present throughout the party's policy discussions. All Sinn Féin's policies are printed and published and available on request. I will supply copies of these to any party that wants to examine them.

Sinn Féin is absolutely committed to resolving the conflict and divisions in our society by entirely peaceful means. This is a statement of record. Sinn Féin is opposed to punishment beatings and supports the establishment of a new policing service that would be civilianised, civilised and representative of the entire community. That is also a statement of record.

Sinn Féin has stated on the record, on many occasions, its determination to achieve in Ireland a democratic settlement which will see the removal of the gun for ever from Irish politics. That is our commitment, and we want to work — indeed we need to work — with all shades of political opinion to achieve that objective.

*11.15 am*

I have stated this morning in interviews that without Unionism and, equally, without Republicanism the peace process is worthless. We have no choice; we must work together if we are to resolve this issue.

Reference has been made to newspapers which regularly give details of membership of the Army Council of the IRA. I never see newspaper reports about the leadership of Loyalist organisations such as Ulster Resistance. I wonder what would be said of those who, by their own admission, gave political cover to an organisation which retained guns that were imported from South Africa with the help of the British Army spy, Brian Nelson?

Members of the United Kingdom Unionist Party have clearly set out their stall. What is the status of their statement, and who makes up the UK Unionist Party? They have clearly stated their intention to destroy the

Good Friday Agreement, and the clear purpose of the motion is to undermine, subvert and destroy the Good Friday Agreement, and to prevent any implementation, let alone the speedy implementation, of its provisions.

Our amendment accepts the need for a report from the First and Deputy First Ministers Designate to explain the difficulties that they are experiencing and the undue delay in establishing the shadow Executive, the North/South Ministerial Council and the implementation bodies. The Good Friday Agreement is already in default, and there are constant predictions that we will miss the February deadline for the devolution of political power. There is no valid reason for the failure to implement the spirit and detail of the agreement.

It must be apparent to everyone that the difficulty in the peace process is not caused by the decommissioning issue. Begrudgery and a refusal to accept collective responsibility as parties for a new beginning and for the failures of the past are the causes. There is really no point in continuing to point the finger and say "It was not my fault; it was yours." We all failed. The experiences of people over the past generation have replicated the failure that has bedeviled the North of Ireland since partition. By working together, we have an opportunity to change all that.

On Good Friday we all agreed to a form of coalition Government. We do not talk about that as positively and persistently as we should, but that is what we agreed. That Government would be representative of all shades of political opinion, and would satisfy the criteria on establishing a mandate from the people under the d'Hondt system. Four parties achieved that agreement, and there could be a remarkable coalition. It would certainly be a remarkable demonstration of a new beginning for a political entity that has manifestly failed. There can be no satisfaction in dwelling on that failure, or insisting that we should continue to live with it. Let us change it. Let us abandon all the nonsense of point scoring and recognise what we agreed on Good Friday and go ahead. Let us by doing that achieve the removal of all guns.

There are 130,000 licensed weapons in the Unionist community. Would they be given up willingly? We know why that would not happen. There is considerable fear and distrust and a history that will take time to undo, and attitudes that will take time to unlearn. The genuine concerns that created the conditions of conflict continue to exist.

We politicians have been given a job to do by the electorate.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Mr McLaughlin:** The people gave us their opinion. There was an election to this coalition Government. In the referendum on the Good Friday Agreement, the electorate defeated those representing the "No" camp. Members should now agree on the number and remit of the implementation bodies and the number of Departments and then take the necessary three steps — I am just finishing, Chathaoirligh — which are in black and white in the agreement: establish the Executive, establish the North/South Ministerial Council and bring into being the all-island implementation bodies. Let us take those three steps and show leadership.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Mr McLaughlin:** Go raibh maith agat, a Chathaoirligh.

Amendment No 3 proposed: Leave out from "a" in the penultimate line and add

"final report on these matters before the House by 21 December." — [Mr Neeson]

**The First Minister (Designate) (Mr Trimble):** I wish to make some comments on the motion and the amendments which have been moved. In the time available it will not be possible to deal with all of the issues involved, but I will touch on the key aspects. The common feature of all the proposals before us, leaving aside the preambles, is that they call, in one form or another, for a report from the First and the Deputy First Ministers (Designate) to the Assembly on the matters which we have all been engaged in over recent months and which relate to moving the Assembly to the point where it is possible for devolution to take place. Calling for a report on these matters is not unreasonable.

The question arises as to the timing of such a report and the terms of the motion and the amendments that call for it. Reference has been made to the discussions which are taking place in a fairly intensive way. I spent from 11.00 am to 11.00 pm yesterday, with very few breaks, involved in them.

The discussions at present are at a fairly delicate stage, and I can see no advantage to the Assembly or to the public interest in putting the position which I think the discussions have reached into the public domain. The discussions will resume as soon as possible, but I do not begrudge the time given to the Assembly on the matter.

I do not think there is any advantage to be gained from giving my view of where the discussions had reached at 11 o'clock last night, because other people might have a different view. It is not unusual in the midst of discussions for people to form different views of precisely where we are, and we saw the effects of that difference of view over what had or had not been agreed only 10 days ago. I do not see any point in going into detail on those matters.



We are focusing in those discussions primarily on the question of North/South co-operation, but we are also taking into account the other strand-one issue, the future structures for the Northern Ireland Assembly. On these matters Mr Neeson was perfectly correct to say that the agreement set a target date (not a deadline — and there is a difference) of 31 October, and it was with that in mind that, on 14 September, in this Chamber, I called for the parties to engage in active discussions on these matters.

Sadly, that call was not immediately responded to for a variety of reasons. It was not until 26 October that it became possible for the Deputy First Minister and I to initiate a round of consultations, and those consultations are ongoing.

It was not until 30 October that we had any formal communication from the Irish Government — a necessary element in these discussions. At this stage we are not in a position to decide among ourselves what the areas of North/South co-operation should be, and then impose that on the Irish Government. That would fly in the face of the principle of consent. Since we received the views of the Irish Government, we have continued to work on the matter.

Some of the amendments call for a report to be made to the Assembly by 21 December. That is not impossible. We might be in a position to make a detailed report by that date. I should very much like that to be the case, and I am quite hopeful about that. However, I do not want to go into detail at this stage lest I raise too many expectations.

At this stage it is not possible to be more definite, and for that reason the amendments moved by the Alliance Party and Sinn Féin could be extremely damaging to the process, as they call for a final report. Mr Neeson quoted the original resolution of 1 July. If a final report were made, it would discharge that motion, and would leave the Assembly rudderless. We would then have to meet again to consider how to proceed.

It would not be in the interests of the Assembly or in the public interest to discharge the resolution of 1 July, thus leaving the First Minister (Designate) and the Deputy First Minister (Designate) without any instruction or authority on the conduct of business. Mr Neeson declared his support for the agreement. I am glad to hear that, but I wonder why he has made a proposal which would damage its implementation.

I shall advise members of my party to vote against the Sinn Féin and Alliance Party amendments, which are substantially the same. I can understand why elements in Sinn Féin might want to throw a spanner in the works, but I wonder why the Alliance Party would want to do that. I therefore caution its members to think again.

I turn now to the substantive motion which has been proposed by Mr McCartney, although I am not sure in what capacity he is acting at the moment. The motion calls upon the First Minister (Designate) and the Deputy First Minister (Designate) to lay a report on these matters. As I have said, I do not consider the request for a report to be unreasonable. I see from the footnote that that would mean that the Assembly would require a report by Monday 18 January 1999, taking into consideration the dates for recess that were referred to earlier by the Initial Presiding Officer.

I do not think it is unreasonable to ask for a report within that timescale, although it may be, as previous reports have been, simply a report on progress to date. My clear hope is that we will be able to make a final report before that date, but, as I said earlier, I do not wish the Assembly to bind itself to a final report on that day simply to discharge the motion of 1 July. Therefore it would not be unreasonable to expect the kind of report that is set out in this motion and, for that reason, I would be prepared to support it.

There is another reason for my being minded to support the motion. So far, I have commented only on the substance of the motion rather than the preamble. Paragraph c of the preamble reads

“any party inextricably linked with a paramilitary organisation retaining arms cannot give a total and absolute commitment to exclusively democratic means”.

We have been making that point for many months, and we are glad to see that Mr McCartney agrees with us, and is drawing attention to the key provision in the Agreement which requires a “total and absolute commitment to exclusively democratic and peaceful means”.

*11.30 am*

That requirement is mentioned in four different places in the first few pages of the agreement. It is on the first page, and it appears three times in the strand-one section: in paragraphs 25 and 35 and in paragraph (b) under the heading “Pledge of Office”. And in case Mr McLaughlin has forgotten it — least he mistakenly think that to hold office, one has only to qualify under d’Hondt — I remind him of that obligation. Strand one of the agreement, at paragraph 25, clearly provides that persons who are not committed to peaceful means

“should be excluded or removed”.

If the Member turns to the section on decommissioning, which ought to be engraved on his heart as it imposes on him an obligation to decommission, he will note that paragraph 1 is expressly cross-referenced to paragraph 25 of strand one. Nothing could be clearer. It is not a precondition; it is a requirement of the agreement.



I am glad that Mr McCartney now supports my party's position that under the agreement there is a clear obligation to decommissioning, that he has moved away from the position of declaring Sinn Féin to be right.

**Mr McCartney:** *rose.*

**The First Minister (Designate):** I have just one minute left.

There is another reason I am glad that Mr McCartney has made this move. I adverted to it during the debate on the Second Reading of the Northern Ireland Bill, which took place in the House of Commons in July. If the issue of forming an Executive should arise without there having been a credible beginning to decommissioning, as required by the agreement, we would have to table a motion for the exclusion from office of those who had not begun the process of decommissioning. I am very pleased that Mr McCartney would now support us in such a situation. We welcome support from any source.

**The Deputy First Minister (Designate) (Mr Mallon):** In spite of what some Members may think, I quite welcome the proposals in the motion and the amendments. Were I a Back-Bencher in the Assembly, I would have tabled something similar long ago because any political process — but especially one such as ours — must either go forward or go backward. You cannot stand still in politics. There is no statutory point where you can remain stationary without damaging the political process.

I welcome this debate because it provides an opportunity for Members to voice their concern to get movement into the political process. I have no doubt that the process needs movement. It needs to be able to start to fulfil its obligations.

For some time, as I think all Members know, I have been using every opportunity and every means at my disposal to warn of the damage being caused by non-implementation of the agreement. I do not wish to go back over the record, nor will I do so, but anyone involved or observing politics knows that I have tried to ensure that we have the structures and institutions to which we committed ourselves on Good Friday.

There were various reactions. Even parties that have been putting down amendments could not find time just to talk to us during the consultation process, to give us a simple proposal on departmental bodies.

I can see that they might have ideological reasons for not making proposals on implementation bodies, or even co-operation bodies, but they could not even find time to give us a piece of paper on matters such as Departmental structures. That was their fault. It is interesting that one of the parties — or should I say one

of the half-parties — that put down these amendments, could not find the time to give us one scrap of paper outlining their ideas on Northern Ireland Departments.

As I said, there have been various reactions to my approach. I was apparently trying to bounce people into things; I was accused of that recently. If trying to do what I have been obligated to by the electorate and by an election in this Assembly is bouncing, so be it: let me bounce.

I have also been accused of grandstanding. I have been trying to come to some arrangement that all the political parties can agree to, that the Prime Minister, who is a signatory to this agreement, and the Irish Government, who is also a signatory, can agree to. If that is grandstanding, let me continue to grandstand.

I was also accused of creating an atmosphere of crisis. I never used that term; I do not believe in that term. What I have consistently said — and I say it again — is that inertia in the political process leads to potential damage to the political process.

Heaven knows that this process is a tender enough plant without our damaging it ourselves. In the eyes of the electorate, it is being damaged in terms of its credibility on the ground and the confidence — or lack of it — that the political parties here have in it. I see that every day. I have contact with most of the parties. Some are difficult to find — and I am not talking about the Ulster Unionist Party with whom I seem to spend my time closeted. One might have to try to locate others in Boston, South Africa or various other parts of the globe, but when they do return, my door is always open, and suggestions will always be willingly received, with all the sincerity I can give them.

I have a problem with the amendments, not because I oppose them, but because there is a difference between a report and a proposal. I do not want to come back to the Assembly with a report — a piece of paper listing all the consultations we have had, all the things we have done and all the people we have spoken to. No, I want to come back, along with the First Minister (Designate), with a proposal that the number of Departments be X, that the Departments be A, B, C, D, E, F, G, H, I, J, K — or whatever — that the functions of each Department be clearly defined and that those in the Assembly who are against what is being proposed (and there will be opposition from Members) have an opportunity to table amendments, to challenge the proposals and subject them to debate. In that way, whatever is decided will have come out of the crucible of debate and will be all the stronger for that.

I do not want a tidy little report, sneaked in before Christmas. That would not give us the opportunity to do all that.

I also want the opportunity to come back, with the First Minister, and present proposals for implementation bodies. I will start this today, but I am not going to relate that to the alphabet.

I want to justify those proposals. I want to give Members the opportunity to challenge them, to put down amendments, to vote against, vote for and speak their mind about them.

I want to do likewise in respect of areas for enhanced co-operation as per the agreement and areas of co-operation, so that when we have finished, no Member will be able to say that the proposals have not been put through the democratic process in accordance with our Standing Orders.

Some will agree, some will disagree, but everybody will be given the opportunity to table amendments. I would like to see this being done this week, but I make no predictions. Over the past two weeks, my confidence in making what I believe to be accurate predictions has been somewhat dented.

I believe it should be done this week, and that is why I find fault with the amendments — they lack imagination.

Why wait until Christmas week? What is wrong with this week? What is wrong with before Friday? What is wrong with the people who are putting down amendments instead of going at it with an almighty bash?

**Mr Ford:** Does the Minister accept that “by 21 December” does not preclude this week?

**Mr Mallon:** I do. The Member’s profundity and perspicacity never cease to amaze me.

I want to see this business done. Members have charged the First Minister (Designate) and myself with doing it. They are right to tell us that it has not been done quickly enough, and I agree with them, but instead of churning out all the routine speeches about issues which are nothing to do with structures, they should speak their mind today.

Members who could not consult with us or submit their views in writing should tell us today what they think about the proposals for Departments and the implementation bodies. Perhaps the First Minister (Designate) and I will be able, as a result of your inspiration, Mr Initial Presiding Officer, to come back by 21 December — though preferably this week — and say “Here are proposals. Pass them or reject them.”

I make no excuses for anybody — even the Chair. The time since 1 July has been one of the most difficult periods in politics on this island. We have gone through a crucible in political life — from a Drumcree situation to an Omagh situation to a Ballymoney situation. For

these reasons we should be inspired to move and create the structures and the institutions which are required. We owe it to ourselves, to those who elected us, and, indeed, in a strange way, to those who went to the trouble of putting down these amendments today.

*11.45 am*

**The Initial Presiding Officer:** I must ask all Members, no matter how distinguished, to heed my requests. Important matters are being dealt with, and people have been impatient to hear about them. That is understandable. It is also understandable that when making a speech, one tries to save the most important part to the last. However, I appeal to Members to show courtesy.

**Rev Dr Ian Paisley:** I do not see why you immediately discriminate when it comes to my party. You tell us to keep to our time. I do not intend to do that today. I have as much right to rise, wave to you and continue. I am a parliamentarian who is used to the order of the House, but not in this House. Everyone who has spoken so far has got away with running over time, yet when I stand up you immediately call on me to keep to my time.

**The Initial Presiding Officer:** I was referring not to the Member who was to follow but to Members who had gone before.

**Mr P Robinson:** It was too late, he having been given 14 minutes.

**A Member:** He is well worth 14 minutes.

**Rev Dr Ian Paisley:** Of course, in this House we do not have democracy. We heard the Deputy First Minister (Designate) talking about the crucible of debate. There is no real debate. We have a system of voting under which nothing can be passed except with a majority of Members on each side of the divide. It is easy for the Deputy First Minister (Designate) to say “Put it to the vote.” The vote is meaningless. It does not represent the ballot box or the number of people who voted to send representatives to this House, so that can easily be dismissed.

The other point that needs to be dismissed, is the constant harping by some Members about how the people have spoken. The Northern Ireland Act 1998 contains over 400 amendments that Members of the House of Commons were not given time to consider. Those were not in the agreement. It is not true to say that they were what the people voted for; they never saw those amendments.

The Sinn Féin/IRA spokesman spoke in this debate today. The people of Northern Ireland were no doubt listening to hear whether there was going to be some change in the attitude of the people that he speaks for. It

is quite evident that there will be no change. I am reminded of a quotation in a book published after the Pope visited Drogheda. Sinn Féin answered the Pope as follows:

“Force is by far the only means of removing the evil of the British presence in Ireland ... we know also that upon victory the Church would have no difficulty in recognising us.”

The IRA has not changed.

We did not say that the IRA and Sinn Féin were inextricably linked. Those were the words of the then Prime Minister, Mr Major, and of the present Prime Minister, who repeated them. The Secretary of State, with whom all these people have a perpetual love-in, also repeated this in the House. When they go to Stormont House, let them argue with her. Do not let them come here and say “We have no connection whatsoever with the IRA”. What an abominable and atrocious lie.

Mr Adams, who is not with us today, said that it would be intellectually and morally irresponsible to distance himself from the IRA, yet his spokesman in the House says, “Oh, we are not associated with it at all, would not touch it with a barge pole,” to quote the Deputy Leader of the UUP.

I understand that FAIT is a Government-sponsored body and that one of its leaders was an Alliance Party candidate who was not elected to the Assembly. It cannot be said that FAIT has any sympathy with the party that I lead, yet it has issued a report saying that those who have been released from prison are now engaged in this beating-up campaign. I asked the Prime Minister when he was here — he did not want to see me, and then decided that he had to see me for some reason best known to himself — “How many released prisoners have been rearrested and put back in prison?” He said “I will find out.” He wrote to me and told me that none had been.

His answer is wrong. There are people who have been released and rearrested — back at the old game of violence and intimidation. A thousand children have been put through the crucible of intimidation.

**Mr B Hutchinson:** On a point of order. A former IRA man works for FAIT, which made allegations against Loyalist prisoners. *[Interruption]* Allegations are being made here, and people could be taken back to prison. People from the Loyalist side — and I can only speak for the Loyalist side — were not involved, as has been claimed by a former IRA man, and Dr Paisley is taking a former IRA man’s word for it.

**The Initial Presiding Officer:** I have listened with some care, and I do not see that that is a point of order.

**Mr B Hutchinson:** I got it in anyway.

**Rev Dr Ian Paisley:** *rose.*

**Mr McCartney:** Did the Initial Presiding Officer hear the remark that was made after the Member sat down: “I got it in anyway”? Are spurious points of order going to be used to make interjections of that kind?

**The Initial Presiding Officer:** This is not the first time that this has happened. If Members choose to breach the rules by which we try to live, everyone will do it and our proceedings will become a shambles. I appeal to Members to hold to the rules as best they can. Since it is my view that the point raised was not a point of order, the time taken to hear and to deal with it will not come out of Dr Paisley’s time.

Please continue, Dr Paisley.

**Mr B Hutchinson:** I did think that it was a point of order. *[Interruption]*

**Rev Dr Ian Paisley:** I never mentioned this man’s party or anything to do with his party. If the cap fits, let him wear it. Evidently the cap did fit, and it hurt him. That is why he is screaming.

The House today should take note of the cry of the 1,000 children and not listen to those who are not prepared to face up to their responsibility with regard to that. Go and tell the Hegarty family in County Londonderry what the relationship was with them and with Mr McGuinness of IRA/Sinn Féin. Try to sell them the story of peace and love and goodwill and harmony.

The IRA has not and will not change. How could it? It is tied by its own constitution, which states

“The Army Authority shall retain, maintain and ensure the safety of all armaments, equipment and other resources ... until such time as the sovereignty and unity of the Republic of Ireland has been attained.”

It will not attain that. The IRA may pussyfoot with the British Government, and it may think that it will destroy the Royal Ulster Constabulary. It may think that it will put the Protestant and Unionist people under its jackboot, but it has another think coming. Members of the IRA can do what they like, say what they like, kill as many as they like, destroy the children of this country and wreck homes, hearts, mothers and fathers, but they will not win the battle because truth is not on their side. The lie will be dethroned and truth shall reign.

The IRA says that only when there is a settlement leading to a united Ireland will decisions be taken to decommission. Let us nail the lie that within two years these men of blood will hand in their weapons. They will not be handed in unless they achieve their objective, and they will not achieve that.

The British Government have released 214 terrorist prisoners, and IRA punishment attacks have continued,



with 36 shootings and 49 beatings this year. On one side of the balance troop levels have been reduced by 1,500 to 15,500 and team military patrolling has ended. On the other side, the IRA has repeated that it will not give up its arsenal, describing calls for disarmament as a red herring. Military bases in Londonderry and Strabane —

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Rev Dr Ian Paisley:** — observation posts at Crumlin Road in Belfast, checkpoints at Newry, Aughnacloy and Belfast Airport have been closed. Estimated IRA stocks are 10 tonnes of Semtex, 900 assault rifles, six ground-to-air missiles, 100 pistols and 250 machine guns. Arrests under anti-terrorist legislation are down by 80%. That is the Government's balance sheet. New commissions on policing, justice and equality have been established, and there is regular and better access to Ministers and officials for Sinn Féin/IRA. There have been three murders this year by the IRA, and probably £1 million has been raised in the USA.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Rev Dr Ian Paisley:** Today's issue of 'The Daily Telegraph' states

"Miss Mowlam's calculated blindness to what is happening in Northern Ireland goes beyond misguided idealism."

The paper states that there is a  
"refusal to uphold the law".

Despite all those warnings the Government have ploughed ahead with returning yet more gangsters to Ulster's streets. Sooner or later some of them will return to murder, and Mr Blair and Miss Mowlam will have to shoulder the blame.

**Mr B Hutchinson:** I listened to Mr McCartney with interest. He continually talks about punishment beatings and decommissioning. How can I ask loyalists to hand in weapons when the proposer of the motion claims that the Good Friday Agreement is a sell-out? The Chief Constable expects violence from dissident Republicans, the IRA has not said that the war is over, and Mr Paisley is preaching doom and gloom.

12.00

The challenge is not for me to convince Loyalists to decommission under present circumstances. The challenge is for all parties elected to the Assembly to create the political conditions that allow us to move forward. In 1994 the Progressive Unionist Party clearly stated that any citizen in possession of information relating to anti-social behaviour should report such information to the RUC. Party activists have worked

with community representatives and the RUC to find solutions to this problem. The Progressive Unionist Party will work to influence the Ulster Volunteer Force and Red Hand Commandos to decommission their war materials.

If this process works, then decommissioning is a possibility. If it fails, the chance for decommissioning fails with it. The Progressive Unionist Party reaffirms its commitment to the Mitchell principles.

**Ms Morrice:** The Women's Coalition has listened attentively to the debate and is acutely aware of the difficulties facing both sides in this delicate, difficult and dangerous journey. The Women's Coalition, like all political parties that have signed up to the Good Friday Agreement, has pledged to use its influence to bring about decommissioning. That is exactly what we are doing. We believe that the full implementation of the Good Friday Agreement will bring about decommissioning.

We agree with the former Presbyterian moderator who said that the issue of decommissioning must not be allowed to wreck the agreement. We must get over this hurdle. Seventy-one per cent of the people of Northern Ireland supported the agreement. I was elected in North Down to defend the agreement and will do so with everything in my power.

One of the aims is

"to achieve the decommissioning of all paramilitary arms within two years following endorsement ... of the agreement".

That means May 2000 — only 17 months away. If paramilitary weapons are not decommissioned by May 2000, the agreement will collapse. We have waited 30 years, and we have wasted 3,000 lives. We want decommissioning immediately, but we are prepared to wait. Can we not wait for another 300 days?

We can not and must not play into the hands of those who seek to destroy this fragile peace. The only people who will gain should this agreement fall apart are the armed dissidents who oppose it. We, like all right-thinking people in the Province, want to see the guns buried forever. We call on the Republican and Loyalist parties, the camps and the paramilitaries to publicly declare their support for the Good Friday Agreement.

We want agreement on the outstanding issues of departmental structures and North/South bodies. The Deputy First Minister (Designate) asked us to provide him with some suggestions. The Women's Coalition has been disappointed at the lack of proper consultation with the smaller parties in the last few weeks. We have submitted our documents and have been involved in negotiations. However, over the last two weeks,



negotiations have been closed. The Assembly should not operate in such a way.

The Women's Coalition agrees that there should be 10 Departments which must be tailored to meet the specific needs and the changing culture of society. Issues such as equality — and I am not talking just about gender equality — social inclusion, children, families, Europe, training, education and public health need to be given pride of place in these Departments — a new place in a new Northern Ireland.

Also, we insisted that issues such as victims, reconciliation and the promotion of a culture of tolerance, which we cannot ignore, should be included in the agreement.

We have listened to the debates and negotiations on North/South bodies. These have been valuable, but we must remember that we are not creating anything new — all this has been done before in Europe. We believe in the value of North/South and East/West co-operation as a means of achieving greater economic and social cohesion on this island and between these islands. We want agreement on the North/South bodies, and we have been encouraged by movement in the past 24 hours.

However, we want to underline the fact that the setting up of North/South bodies and structures is not the only way to achieving greater understanding between the people of this island. Co-operation at a social level should go hand in hand with economic co-operation. We want to see the creation of a North/South body which will encompass art, culture, heritage and language as one. To leave the Irish language in a body on its own would defeat the purpose of the exercise — encouraging North/South dialogue.

Transport does not have to be dealt with in a North/South context, because such issues can be dealt with in an East/West one. We are talking about ports and air transport as well as about road and rail. To encourage understanding, greater effort should be put into the movement of workers, students, teachers and other people on this island. Examples of the work carried out by Co-operation North, the CBI and IBEC should be supported and enhanced.

Those who fear a loss of identity as a result of a North/South structure should consider the Irish Congress of Trade Unions, which has been a North/South body for many years. The result has not made its Northern members any less Northern or its Southern members any less Southern.

I call on the Assembly to agree on North/South bodies and Departments before 21 December and to form an executive. That is how we can all get what we want — violence and the threat of it off our streets for ever.

**Mr McGimpsey:** I will not dwell on the issuing of reports and on the amendments from the Alliance Party. Suffice it to say that I agree with Mr Mallon's comment that we are working to get agreements on outstanding areas. In my view, the sooner the better, and in my view the agreements should be in place before Christmas.

That brings us to the next stage, which is governed to some extent by Mr McCartney's motion. I have no problems with his proposal. Part (c) of the motion could have been written by any Ulster Unionist. It is exactly what other members of my party and I have been saying for the past 10 months — despite the criticism of those Unionists who have been telling us "No, that is nonsense." It is contained in the agreement, in paragraph 4 of the Declaration of Support:

"We affirm our total and absolute commitment to exclusively democratic and peaceful means of resolving differences".

Paragraph 25 of strand one states

"Those who hold office should use only democratic, non-violent means, and those who do not should be excluded or removed".

Under the heading "Transitional Arrangements," it is stated

"Shadow Ministers shall affirm their commitment to non-violence and exclusively peaceful and democratic means and their opposition to any use or threat of force."

Part (b) of the Pledge of Office sets out the

"commitment to non-violence and exclusively peaceful and democratic means".

The chapter on decommissioning recalls the provisions of paragraph 25 — the exclusion or removal of office clause. The agreement is quite clear. Decommissioning is inclusive and explicit and is a requirement of any Member who seeks to hold office in an Executive. It is in the agreement, chapter and verse.

We are moving towards an agreement on strands one and two, and the question that will arise is whether Sinn Féin can take part. I have said publicly that Sinn Féin's present position is one of self exclusion. It cannot retain the capacity to do 1,000 Omagh's, in terms of a Semtex arsenal, and claim to be committed to democracy and non-violence. The holding of such an arsenal is a threat.

Decommissioning is an obligation under the agreement, and it is the demand of civic and democratic society. It is a *sine qua non*. Sinn Féin must have understood that when it supported the agreement, and must have realised that there would be calls for decommissioning. Under the agreement, the date for total disarmament is May 2000. Not just Sinn Féin but the Provisional movement and Loyalists signed up to that.

Members are looking for a start date for decommissioning and a programme with a verifiable and credible beginning. However, Danny Morrison has

said that the IRA will not give up the rust from a single gun. There is no way forward for anyone on that basis.

The armed struggle has failed, the central strategy of which was to make the cost of the Union so high that no British Government would be prepared to pay it. They imagined that in this way they could get rid of the British presence. This strategy ignores the fact that the British presence in Ireland is the Unionist community, the million-plus men and women living in the north-east corner of the island who hold themselves to be British. All the armed struggles in the world could not remove such a British presence. It seems that Sinn Féin is prepared, at least privately if not publicly, to recognise that.

The agreement contains a consent principle. The inhabitants of the island of Ireland are not a nation in the political sense. They are not now, never have been and probably never will be. Who says this? The people of the island say it. They agree that there are two political entities, which means that there is no right to national self-determination in terms of the entire population, no right to unity of the national territory, and no right to national self-government. The armed struggle has failed, and there is no logic in the maintenance of an arsenal of weapons. The Provisional IRA must have understood that when it moved forward on the agreement. It must have understood that it was signing up to decommissioning.

12.15 pm

The hour is late but by no means too late. We are not quite ready for the appointed day — the transfer of powers. Once we get to that point, then we have the crunch. Unless there is movement from the Provisionals the question becomes: is the process to be destroyed because Sinn Féin will not honour its obligations or do we move forward without it?

We have three options: to move forward with Sinn Féin and decommissioning; to wait until Sinn Féin is comfortable with the agreement and its obligations; to carry on without movement. The choice will come soon, and it is up to Sinn Féin. With all that has been invested in this process we cannot allow that irredentist group within the Provisional movement who insist on retaining its arsenal to bring the process down. The consequences do not bear thinking about.

I do not have a problem with Mr McCartney's proposal; it is exactly what we have been saying for the past months — something, of course, that the members of the DUP deny. *[Interruption]*

If this is a sell-out and a betrayal why is the Member here? He is here because he has nowhere else to go. We are all in the same boat. We all have nowhere else to go.

The situation is that we can go forward with Sinn Féin and the Provisional movement or go forward without them, and the choice rests with the Provisional movement which should face up to its responsibilities.

**Mr Farren:** There is an understandable sense of frustration, annoyance and perhaps even anger in the Assembly and beyond at the delay in reaching agreement on institutional aspects of the Good Friday Agreement. As one close to the negotiations over recent weeks, I would have preferred to have come here to contribute to a debate on the progress that had produced agreement. As in many situations when gaps are being closed, the remaining gaps become increasingly more difficult, and in our situation those gaps are informed by age-old fears and apprehensions. Hence our remaining difficulties. I am convinced, however, that the gaps can and will be closed.

The opportunity given by today's debate allows me to stand back from the immediate concerns of those negotiations and remind myself that what was achieved on Good Friday was a balanced agreement that took account of the aspirations and allegiances of our two communities. Hence the agreement's effective recognition of the Nationalist community's aspirations: that community's identity and its desire to see closer relationships develop between the North and the South, especially through the North/South Ministerial Council.

The Good Friday Agreement also recognised and respected the Unionist community's allegiances and aspirations by giving practical expression to its desire for closer relationships between Northern Ireland and the rest of the United Kingdom through the British-Irish Council.

Crucially, the Good Friday Agreement enshrined the principle of consent as the only acceptable, democratic basis for constitutional change. The carefully constructed balance extends to the manner in which all the matters treated under "confidence-building" are to be advanced. They are not directed, and neither I nor my party interpret them as being directed, towards allaying the concerns of only one community.

On the question of institution building under the terms of the Good Friday Agreement, we must seek to progress in a way which continues to reflect that overall sense of equity. In particular, what we have been attempting to address in recent discussions on cross-border bodies is the creation of something for which there is no precedent. Hence some of the difficulties which have arisen.

We want to create a council which will be a political expression of the desire within the Nationalist community for a tangible link with the rest of the people of Ireland. It will also, in accordance with the Good Friday Agreement, provide initiatives for the

mutual benefit of people in both parts of Ireland, and it is in this regard that it will probably be welcomed by others outside that tradition. Above all, it will allow, on a daily basis, the promotion of understanding and reconciliation between the hitherto divided people throughout this island.

Pursuing such ends, the council cannot, and will not, be a means of imposing change in violation of the principle of consent. We can, and must, deliver a package of implementation bodies and areas for enhanced North/South co-operation that will address real needs, and address them in a manner that will significantly contribute to the economic, social and cultural aspects of life in both parts of the island.

An endorsement of the emphasis on economic co-operation comes not just from the Social Democratic and Labour Party but from the wider community, and particularly from the business sector. These sources of support should allay the fears and concerns that others in the House may have about North/South implementation bodies. The Confederation of British Industry and IBEC have been referred to. They have made substantial contributions to economically directed initiatives under the remit of the North/South Council.

I recently addressed a major meeting convened by Chamberlink in County Monaghan. More than 250 representatives from chambers of commerce North and South came together to discuss how they might enhance their own and each other's businesses. The message to me and Assemblyman Kennedy from the Ulster Unionist Party, who also addressed that meeting, was that we have to take initiatives, where it is in our remit to do so, that will address the need to promote North/South trade and trade beyond this island.

Last night's 'Belfast Telegraph' highlighted the contribution that has been made by one of our leading economists in this area and welcomed the prospect of the North/South Council's providing enhanced co-operation on economic matters.

A cheann-chomhairle.

Ní ar chúrsaí eacnanaíochta amháin a bheidh an bhéim taobh istigh den chomhairle trasteorann cuid thábhachtach dár noidhreacht Gaelach. Is é an agus tábhachtach dúinn uile an oidhreacht cheanna agus beidh béim thábhachtach ar an oidhreacht sin taobh istich den chomhairle trasteorann.

I want to see that emphasis on our Gaelic culture, which will be part of the North/South Council's remit, widened and broadened to include the cultural traditions of all our people.

In conclusion, as we consider the immediate issues, I remind Members of the wider implications of the agreement, and of all the obligations which it places on

all of us. I refer in particular to the obligations on disarmament and decommissioning. In a previous debate, I said that I do not see decommissioning as merely a requirement of the Good Friday Agreement, and that those who currently possess arms and those who wield influence over them should regard decommissioning as an honourable and necessary contribution to the establishment of a lasting, peaceful democracy.

I believe that we will achieve agreement on the outstanding matters very soon, and that we will be able to provide the people who elected us with an agreement on institutions, and begin to operate those institutions early in the new year.

*The sitting was suspended at 12.35 pm and resumed at 2.00 pm.*

2.00 pm

**Mr Kane:** For the past few weeks the Prime Minister, Tony Blair, has been trying to jump-start the Belfast Agreement — if, indeed, it ever got off the ground. Tony Blair should have been made aware that, in developing a strategy for the future of Northern Ireland, we have had the benefit of much experience. Almost everything has been tried, at least once. He could now be forgiven for comparing the Belfast Agreement with the group that tried to set up a small, anarchist community, only to find that the people would not obey the rules.

The First Minister, David Trimble, finds himself in the same predicament. Having called for paramilitaries to disarm in his Nobel Peace Prize acceptance speech, he now finds himself between a rock and a hard place. The next day, the newly elected army council of the IRA ruled out demands for a handover of weapons. Mr Trimble must have felt that the bee of sorrow had stung his heart yet again — this is the third time this year that the IRA has dismissed calls for decommissioning, and Sinn Féin maintains that it is not in a position to deliver on arms.

The Secretary of State, Mo Mowlam, has said that the political parties agree to all aspects of the Belfast Agreement — all, that is, except peace and goodwill to all men.

Mr Trimble may take comfort in the knowledge that no one means all he says and that very few say all they mean. He should also remember the philosophy that

"fear is the foundation of most Governments"

when deliberating on the allocation of ministerial positions. Will the First Minister confirm that no ministerial body will be appointed which includes Sinn Féin while the IRA maintains its stockpile of arms and explosives? Mr Trimble would do well to remember the



words of Mr John Taylor, the then Home Affairs Minister, in December 1972 when he warned

“Enjoy this Christmas. It may be your last in peace. In the new year, you will probably have to resist an imposed solution by the British Government.”

**Mr P Doherty:** A Chathaoirligh, before referring to the Sinn Féin amendment, I want to pick up on a few comments that have been made by Members across the Floor.

Mr McCartney said that no mandate, no agreement and no Government can set aside democracy. That is complete gobbledegook. How does anyone receive a mandate except through the democratic process? How did the agreement, parts of which we are discussing, receive its endorsement? And how, other than through the democratic process, are Governments elected?

Unionists in general are in danger of believing their own misinformed propaganda. For the record, I repeat what Mitchel McLaughlin said earlier: there is no such party as Sinn Féin/IRA.

There is a party known as Sinn Féin, which sought, and got, a democratic mandate in the Assembly election. Dr Paisley quoted from newspapers; he quoted amusingly from a book wherein he nearly got friendly with the Pope; and he quoted from an alleged IRA constitution. I suppose that he would know more about that than anyone else. The claim that Sinn Féin speaks for the IRA appears nowhere in any of our literature, and our constitution in particular. If any Members would like a copy, as they are given to quoting from constitutions, I will make one available. Sinn Féin speaks for Sinn Féin and for the people who vote for us. Unionism needs to abandon the negative mindset of continuous misinformation.

To return to the motion before us, I noted Mr Trimble’s statement that it was “not impossible” that by 21 December he could bring forward some sort of report. We do not want “some sort of report”. We want a final report, and we call upon the First Minister (Designate) and his Deputy to provide it, not later than 21 December. Mr Mallon has said that it could be done in half a day, and I believe that. Mr Trimble said that he was negotiating until 11 o’clock last night, and I know that to be true, as some members of our delegation were here until 11.20 pm. The situation is agreed in principle; there are only the fine details to be worked out.

If Unionists have the political will, they can have closure on this issue in half a day. I urge them to show courage and get on with implementation of the agreement. They are fond of quoting paragraph 25 and saying that it has to be supported. That is true, but paragraph 16 of strand one also has to be supported, as does paragraph 8 in strand two. Let me reiterate that Sinn Féin supports the agreement — every single

paragraph. We do not support some parts of it and ignore others. We support all of it.

Recently Mr Trimble said that he — and I think he meant both himself and Unionism collectively — put a great price on the precise use of words. Sinn Féin also puts a great price on the precise use of words. There are no excuses left for Unionists to refuse to implement the agreement. They need political courage, vision and a sense of history. In this unique situation that has been created with the Belfast Agreement, they should have the courage to implement it. They have the authority to do so.

**Mr McFarland:** In the light of the new relationship brought about by the agreement, I do not wish to unnecessarily annoy Sinn Féin, but I hope that this venture into reality will not elicit from the Member for North Belfast, Mr Kelly, another threat that the views of the Ulster Unionist Party might bring about a renewal of IRA violence. He, of course, uttered these words at the weekend.

I understood that the guns of the IRA were silent and that the IRA had joined the constitutional road that was the way forward. Surely the assurances of Sinn Féin as to the direction of the Republican movement cannot be worthless.

In the early 1970s the IRA was in a mess, with individual battalions conducting unco-ordinated operations, and Sinn Féin was a Cinderella organisation with little direction. In the late 1970s the IRA reorganised into its cell structure. A strategy document, which was found by the Garda in the Dublin flat of Seamus Twomey, the then IRA Chief of Staff, made it clear, as reported at the time, that

“Sinn Féin will come under the army at all levels”.

The relationship between the two organisations was fairly clear at that stage. There followed the evolution of the Armalite-and-the-ballot-box strategy, with Sinn Féin moving into the political stage that it occupies today while the IRA continued its terrorist campaign.

One has to be in awe of Sinn Féin at local government level. If someone in Turf Lodge gets a burst pipe he calls the Sinn Féin centre. Unlike the rest of us, who take a load of guff from the local plumber and wait about a week and a half to get something fixed, within half an hour the Turf Lodge plumber comes round and the pipe is fixed. How is it, I wonder, that Sinn Féin can have such influence with plumbers? The answer, of course, is that Sinn Féin and the IRA are — in the words of two successive Prime Ministers — inextricably linked”.

Sinn Féin claim that they are separate, but evidence of dual membership is piling up. Sinn Féin’s claims of not speaking for the IRA are ridiculous. The



paramilitaries from all sides were involved in the talks quite clearly because it was understood that they were able to speak for their respective organisations.

I am encouraged to know that when discussions are taking place with key members of Sinn Féin they are, in reality, taking place with the IRA — straight from the horse's mouth, from those who can produce the goods.

I have some quiz questions for Members now. This came out of recent court cases and newspaper reports. Although Sinn Féin know the answers, they are not excluded as it is in the spirit of the agreement. Which two senior Sinn Féin Assembly Members left the IRA Army Council to go political but rushed back when they lost control to southern command, which bombed Canary Wharf? Which senior Sinn Féin Assembly Member was identified as the adjutant general of the IRA and army council member during the case which Thomas Murphy took against the 'The Sunday Times' in Dublin? Which senior Sinn Féin Member comes from the Belfast Brigade of the IRA and sits on the army council? I could go on, but the flavour of the relationship is plain to see.

I was at the last three days of the talks, and it was quite clear to everyone there the spirit in which they were being conducted. It was clearly understood by the constitutional parties that decommissioning was a key part of that agreement. We were concerned that the words in the agreement were not strong enough, and we received written and verbal assurances from the Prime Minister that, in the spirit of the agreement, decommissioning would start in parallel with prisoner releases. On the basis of those assurances we signed up to it.

Where are we now? In the last two or three weeks there has been an IRA convention. I see from yesterday morning's 'Irish News' that the word on the street is that authority to take the decision on decommissioning was passed down to the seven-man army council. Therefore authority rests, one could argue, on Members of this House.

The IRA may need the space in which to sort out and convince its grass roots, and we are happy enough to give them that space. In the end the requirement of the people of Northern Ireland and the people of the island of Ireland for decommissioning must be met. We need to be realistic. The IRA must prepare for decommissioning. If responsibility for it has been moved down to the army council, if we can get our other structures sorted out in here, then the time must be right for decommissioning, and they really must get on with it.

I am in full agreement with and support Mr McCartney's motion.

2.15 pm

**Mr Dallat:** Many things have happened since this motion was submitted by Mr McCartney, including some interesting developments in his party. As Harold Wilson said,

"A week is a long time in politics."

Delays in setting up the structures within Northern Ireland and between the North and the South are unacceptable. The fact that Mr McCartney chooses to exploit such disappointments should serve to warn of the dangers of further delay. Only those with a vested interest in destroying the Assembly benefit from such delays.

Yesterday's four-hour debate on the Health Service showed how urgent it is that we move on and serve the people who elected us. There are many other pressing issues relating to health and social services, education and training, economic development and tourism — to mention just a few — which require the involvement of Assembly Members at the earliest opportunity. The honeymoon period is over, and the hard work must begin.

Members of the public are not impressed with Assembly parties which are bogged down in the past and afraid to move on and face the future. Let us stop exploiting the weaknesses in each other, because that only recoils on ourselves and leaves everyone worse off. The SDLP does not have these problems; it has been waiting, since the downfall of the power-sharing Executive of 1974, to begin the process of partnership government. It has been annoyed by the lack of progress and not impressed by those who gloat over the delays — and this motion clearly sets out to do that. However, as we debate the motion, the work is going on in this building, and success will come — perhaps sooner than our opponents believe.

Sniping from the sidelines has been the favourite pastime of too many politicians in the past. Why do they do it? How many lives has it cost? Who has benefited? Certainly not the 71% who voted for the agreement and now feel very let down by the lack of vision and progress.

We can quote from the past. All of us can do that. Dr Paisley quoted from a book this morning, but what does it achieve? If I quoted what Dr Paisley said in the late 1970s, when he said that he would rather trust the devil than the RUC, would that achieve anything? Certainly not. If anyone doubts my word, let him go to the Assembly Library and check Hansard. But that is not why we are here.

One thing is sure: the past is the past and it is gone forever. There is no going back. That simply is not an option — not now or at any time in the future. This

time the wreckers and the begrudgers cannot win. Of that I am sure because slowly, but surely, there is a sense of community developing from the bottom up, and they know it. Much of this positive action has emerged gradually from economic regeneration groups, peace and reconciliation boards and a whole variety of community-based activity. We are in a much different position now than we were in 1974; there is a community out there solidly committed to backing the Assembly's efforts to move forward.

Many Members are involved in these activities, and they know that the day of the politician who thought for everyone and made all the decisions on his own, mostly to protect his own self-interests, is gone. People are no longer prepared to put up with the claptrap of mistrust and dissension. In such a world, arms and explosives, like the behaviour of failed politicians trapped in the past, become irrelevant. They do not count any more, and holding up the work of the Assembly over such an issue makes no sense at all.

In a new environment where there is developing trust, all guns will disappear, both mentally and in reality. In a new society built on partnership and trust there will be no place for weapons of war, no urge to feel the need to defend, because the greatest weapon of all is the ability to trust each other. To date, there has not been enough of that. We need to move forward, and we look forward to working with people in other parties who are equally committed as we are to ensuring that the future is different from the past, that it is built on trust rather than fear, and offers hope rather than despair.

I believe that before this week is over, there will be agreement, and the people of Ireland — north and south — will be able to have the Christmas present they have all wanted for over 30 years. That is the real business of this Assembly. We are ready and willing to finish the business rather than waste time on motions which emphasise failure rather than hope for the future. Pantomimes belong to the schools and theatres outside — the Assembly is in the business of making this country work.

**Mr Dodds:** I welcome the opportunity to contribute to this debate.

Some of us were beginning to wonder when we would have the opportunity to debate such issues again, and it is no thanks to the initiative of either the First Minister (Designate) or his Deputy that this debate is taking place today.

I congratulate all those responsible for ensuring that it is taking place. Members should have the opportunity to debate such crucial issues. I was perturbed to hear the First Minister (Designate) indicate that come the date specified — 18 January — we may once again, be

listening to another interim report, although I noted the remarks of the Deputy First Minister (Designate) who was not looking forward to that prospect at all.

Amazement was added to my concern when I consider that Mr Taylor, as deputy leader of the UUP, has already said at a press conference that 10 Ministries have been agreed. I fail to understand, therefore, why we are not hearing details of that today. Mr McGimpsey said that we might have some agreement before Christmas, and I sincerely hope that if there is such an agreement, the Assembly will be reconvened to allow Members to debate these issues and consider them properly rather than having to wait until another day.

The main thrust of this proposal centres on the fundamental issue of decommissioning — an issue which has been fudged time and time again, and I am glad that we have the opportunity to debate it once more. It is a fundamental democratic pre-requisite that any party seeking to take part in the democratic process — never mind taking part in democratic government — should be completely committed to democratic, peaceful methods and should be prepared to give up weaponry, illegal armies and paramilitary gangs.

We are in this situation because during the talks process which led to the agreement and in the agreement itself the issue of decommissioning was never really grasped. It was fudged and put off to another day. The difficulties we are facing in getting others to move on that issue is the result of the fudging that has taken place in the past. Those who now demand the handover of weapons and were prepared to sit and negotiate with IRA/Sinn Féin whilst they held on to their weapons, are in a difficult position.

They say that it is essential — and I agree with this — that to be committed to an exclusively peaceful and democratic process means that there must be no weapons on the table, under the table, or outside the door. That was the same requirement for entry into the talks process to begin with, yet IRA/Sinn Féin were admitted into the talks process, were seated at the talks table, were allowed to complete the talks process, and not one Armalite or a single ounce of Semtex was handed over. That is why Members on these Benches lack credibility on the issue of decommissioning. The very demands they make now they previously made during the talks, and yet it was fudged, and IRA/Sinn Féin were admitted.

We are told that decommissioning is an essential component of the talks and the peace process. The word “essential” is used but we never see any movement on the issue. Despite the concessions, the paramilitaries and their representatives are not even prepared to begin movement on what the people of Northern Ireland demand.

The DUP has been consistent and clear throughout. We do not rely on the Belfast Agreement, and those who use it as the basis for demanding decommissioning are relying on a false premise. It should demand that decommissioning begins before IRA/Sinn Féin get into government, and before terrorist prisoners are released. The tragedy is that the agreement does not demand such a move. I have read it carefully and it does not say, as was claimed in the debate, that decommissioning has to be completed within two years. It states that those who signed the agreement will

“use any influence they may have to achieve the decommissioning of all paramilitary arms within two years”.

I can almost hear the argument: “We have used all the influence at our disposal and we will continue to do that ad infinitum.” There is no demand in the agreement for the completion of decommissioning within two years.

It is the clear demand of democracy, and of the people of Northern Ireland, that those who want to gain positions in government and play a full role in the democratic process must be unarmed, and should not have at their backs those who are engaged in intimidation, racketeering or punishment beatings. It is also the demand of the Prime Minister. In Northern Ireland and in his own handwriting, he pledged to the people that terrorists and their frontmen would not benefit from the agreement unless violence was over forever, done with for good. It is the Government’s responsibility to see that Sinn Féin/IRA and others do not benefit from the agreement unless decommissioning is completed.

The House has been lectured by Sinn Féin spokespersons about a new start, a new beginning, looking to the future, as if the arms issue arose in the past. I remind the House that Mr Kearney, who was murdered in the New Lodge area in my constituency, died as a result of the use of IRA guns only a few months ago. Guns are still being used on the streets of Northern Ireland. They are not becoming irrelevant, they are being used to murder and inflict harm on people, and to exile and threaten them. Decommissioning cannot be put off. It has to be tackled now, and it has to be dealt with once and for all.

The First Minister (Designate) said that there had to be a credible beginning to decommissioning. Some Ulster Unionist spokespersons equate the commitment to

“exclusively peaceful and democratic means”

to the beginning of decommissioning. They have accepted that when IRA/Sinn Féin begin to decommission they will be committed to “exclusively peaceful means”. But it is about more than just beginning. It means the completion of

decommissioning, giving up weapons in their entirety, the dismantling of terrorist organisations. I welcome the fact that there will be a united Unionist front on the motion. The Prime Minister and the Secretary of State have made it clear time and time again that the IRA and Sinn Féin are inextricably linked, yet paragraph c of the motion says

“any party inextricably linked with a paramilitary organisation retaining arms cannot give a total and absolute commitment to exclusively democratic means”.

There has to be substantive and meaningful decommissioning, not a token gesture. However, I fear that we are being prepared for some sort of token gesture that will, in some way, allow movement.

The people of Northern Ireland, who have seen the release of over half the terrorist prisoners, who see the RUC under threat from paramilitary gangs whose organisations are still fully intact, are watching all these moves being made, and they will not be prepared to settle for some form of gesture. They want something substantial and meaningful which will show that people are divorcing themselves from violence and terrorist activity once and for all.

The DUP is happy to support the motion. I welcome the fact that the Unionist side will be presenting a united front and representing the clear demand from the people of Northern Ireland that the days of paramilitary organisations and those who believe in the use of force, be over. If they wish to reap the rewards of democracy, they must be fully committed to the means of democracy.

**Mrs de Brún:** Is ionsaí oscailte ar Chomhaontú Aoine an Chéasta an rún a tháinig ón Uas McCartney. Tá an ball ó Dhún Thuaidh ag iarraidh an chuma a chur ar an scéal go bhfuil sé ag iarraidh cúrsaí a bhogadh chun tosaigh. Act ní hamhlaidh an scéal ar chor ar bith.

Tá an tUas McCartney go hiomlán in éadan an Chomhaontaithe, go hiomlán in éadan an phacáiste ar vótáil ar a shon i Mí Bealtaine seo a chuaigh thart Chomh luath agus a d’aontaigh na páirtithe ar phacáiste éigin agus fiú sula raibh reifreann ar an cheist, chuaigh an tUas McCartney agus a chuid comrádaithe amach le sraith cruinnithe a eagrú chun cur in aghaidh an Chomhaontaithe. Is cuid den fheachtas sin an rún atá os ár gcomhair inniu.

Cáineann an tUas McCartney Sinn Féin go láidir agus é ag moladh an rúin. Ach níl an rún seo dírithe ar pháirtí s’againn amháin. Tá sé dírithe in éadan na bpáirtithe uilig a tháinig le chéile chun dul chun cinn a dhéanamh trí chómhra agus comhréiteach.

Níl páirtí s’aige sásta beart a dhéanamh ar son na síochána ó thuaidh. A mhalairt ar fad – tá siad ag iarraidh bac a chur ar an ghluaiseacht i dtreo buansíochána agus comhoibrithe. Tá siad ag cur in



aghaidh comhionannais agus bunú institiúidí inar féidir linn uilig comhoibriú ar mhaithe lenár bpobal uile.

Is sa chomhthéacs sin a chaithfimid breathnú ar an rún seo. Is cuid lárnach de iarracht cheannaire an UKUP — ma tá páirtí fós aige — cúlú ón Chomhaontú agus ó obair páirtithe eile atá anseo le theacht ar réiteach fadtéarmach sa tír seo. Is cuid lárnach de throid s’aige in aghaidh an Chomhaontaithe. Is dá thairbhe sin iarraim ar na baill eile den Tionól gan tacú leis an rún mar atá sé.

Tá sé riachtanach go leanfaimid ar aghaidh leis an obair chun na hinstitiúidí uilig a chur ar bun, an coiste feidhmiúcháin, na forais uile-Éireann agus na hinstitiúidí thoir thiar. Sin an bealach is fearr le ré nua a thabhairt isteach sa tír seo.

Athníonn leasú s’againn an gá atá le tuairisc ón Chéad Aire agus ón leasChéad Aire. Deir sé go soiléir sa Chomhaontú go mbeidh institiúidí ann “atá in ann údarás feidhmiúcháin agus reachtach a fheidhmiú”. Is léir go bhfuil baill éigin sa Tionól seo nach bhfuil sásta na céimeanna riachtanacha a ghlacadh chun sin a chur i bhfeidhm, daoine arbh’fhearr leo nach mbeadh aon dul chun cinn ann má tá comhoibriú, comhionannas nó struchtúir buimsitheacha ina bhfuil áit do gach duine mar chuid den dul chun cinn sin.

Ní féidir linn cúlú. Caithfimid dul ar aghaidh. Caithfimid leanstan ar aghaidh leis an obair chun Cothrom na Féinne a thabhairt isteach sna Sé Chontae. Is gá leanstan ar aghaidh le saoradh na gcimí, le bunú shéirbhís nua póilíneachta agus le hathbhreithniú ar an chóras dlí. Caithfimid aontú anois ar na forais uile-Éireann agus ar na ranna. Ba chóir go spreagfadh aontú ar na hábhair sin sinn uilig leis na céimeanna riachtanacha eile a ghlacadh — an Coiste Feidhmiúcháin agus an Chomhairle Aireacht uile-Éireann a chur ar bun agus fríd sin na comhlachtaí forfheidhmithe a bhunú. Ghlac formhór na bpáirtithe sa Tionól seo le Comhaontú Aoine an Chéasta — caithfimid cloí leis anois.

Dá thairbhe sin iarraim oraibh tacú le leasú s’againne.

The motion before us today is an open attack on the Good Friday Agreement. The Member from North Down is trying to give the impression that he is attempting to move things on, but nothing could be further from the truth.

Mr McCartney is totally opposed to the agreement voted on last May. As soon as the parties came to an agreement, and even before the question was put to a referendum, he and his Colleagues were out organising a series of public meetings to oppose it. This motion is part and parcel of that campaign.

Mr McCartney roundly criticised Sinn Féin when moving the motion this morning. It is clear that the motion is not directed solely at Sinn Féin. On the contrary, the motion is directed against all the parties who came together to seek progress and to find accommodation through dialogue. He is not trying to seek peace in the Six Counties, he is trying to put obstacles in the way of an accommodation and of real and lasting peace. Mr McCartney’s supporters have set their faces against equality, parity of esteem and the establishment of institutions in which we can all work together for the good of all our people.

It is in this context that we need to examine the motion. It is part and parcel of the attempt by the Leader of the UK Unionist Party — that is, if he still has a party — to retreat from the Good Friday Agreement and from the work of other parties who wish to find a lasting settlement. This motion is part of his fight against the agreement and, for that reason, I ask Members not to support it as it stands.

It is essential that we work to put the institutions in place — the Executive, the all-Ireland bodies and the East-West dimension. That is the best way to bring about a new era for us all.

The Sinn Féin amendment recognises the need for a report from the First and the Deputy First Ministers. The agreement clearly states that institutions will be put in place which are “capable of exercising executive and legislative authority”. But it is clear that some Members are not prepared to take the steps to see this through. That would entail co-operation, equality and inclusive structures in which there was a place for all.

We cannot turn back. We must go forward and continue the work to make equality a reality here in the Six Counties. We need to move forward with prisoner releases, with establishing a new police service and with a fundamental review of the justice system. We need agreement on all-Ireland bodies and the Departments now. Agreement on these matters should be a spur for us all to take the remaining steps to set up the Executive, the all-Ireland Ministerial Council and, through this, the implementation bodies. The majority of the parties supported the agreement and must stick to it now.

I ask the Assembly to support the amendment moved by Mitchel McLaughlin.

**Mr Close:** I would like to make it clear that the Alliance Party tabled its amendments because it is a strong supporter of the Good Friday Agreement and because it is concerned at the delay with the full implementation of that agreement. Our action should not be construed or interpreted as putting a spanner in the works. Unlike the mover of the original motion, the Alliance Party does not wish to bring the Good Friday



Agreement down; unlike the DUP it does not wish to wreck people's hopes; and unlike Union First it is not being destructive. Rather, it wishes to operate, be constructive and be positive in its demand that all those who have responsibility move forward.

When people went to the polls on 22 May 1998, they gave an overwhelming endorsement to the Good Friday Agreement. In our book, that was democracy. It was the voice of the people. That agreement was successfully negotiated by all those in the political parties who recognised that the only way to solve political disputes and differences was by negotiation and dialogue.

Yes, there are others who, recognising that their stance was unlikely to gain much support and having illustrated that they were either unwilling or unable to compromise, left the table. But in so doing, they exposed their weakness, their stubbornness and, yes, their intransigence.

It is important to note that the people have endorsed the agreement in full. They were asked a simple question:

"Do you support the agreement reached in the multi-party talks on Northern Ireland and set out in Command Paper 3883?"

And the people said "Yes" — "Yes" to the parts they liked, and "Yes" to the parts with which they had difficulty. In so doing, they demonstrated their courage and hope for the future. They voted "Yes" to the Good Friday Agreement — not to the spins, not to the comments of others and not to other people's handwriting on other notes.

People are not stupid. They knew what they were doing, and they recognised that the agreement pointed a way forward based on compromise. They knew that it offered hope for the future.

Having clearly and unambiguously voted "Yes" to the agreement, and having staked their claim and their future on that agreement, the people went to the polls once again and elected the Members of this Assembly. We are people whom they knew and some of whom they trusted to implement that agreement. They charged Members with putting in place the various parts of the agreement which they, the people, had endorsed.

The people wished to see the positions of First Minister and Deputy First Minister put in place, and that has been achieved. But what has happened to the Executive, the various Committees, the Civic Forum, the cross-border bodies, the North/South Ministerial Council and the British-Irish Council?

The people did not vote for procrastination, for a renegotiation of the agreement, or for childish stubbornness; they voted for political action which would see the agreement implemented fully. Yet six months on, the people can ask with justification "What

has been done? Why have the posts of Ministers not been sorted out? Why is there no North/South Council? Where is the Civic Forum? Why are the old arguments and battles still being fought? Why is tribalism, as represented by Unionism and Nationalism, displaying the same old stubbornness as before?" And they ask "What has changed?"

The agreement's Declaration of Support says

"We must never forget those who have died or who have been injured, and their families. But we can best honour them through a fresh start, in which we firmly dedicate ourselves to the achievement of reconciliation, tolerance and mutual trust".

Is this empty rhetoric? And let Members note the following:

"We pledge that we will, in good faith, work to ensure the success of each and every one of the arrangements to be established under this agreement."

Is that too empty rhetoric?

Mutual trust is in very short supply; good faith appears to be an aspiration; and as for tolerance, surely that means self-restraint, mildness and moderation. Those qualities have certainly been absent in any recent interviews I have seen and from some of the comments made earlier.

People are concerned about these matters, and those charged with responsibility have a duty to deal with those concerns. But people's expectations do not end with the list that I have just outlined. They also expect to see an end to the violence that has destroyed so many lives.

2.45 pm

They believe that the fresh start for which they voted meant a permanent end to death, destruction, threat and intimidation by terrorists. Here too, I regret to say, the people have been disappointed.

The thugs and the gangsters are still using bullets; the hoods are still smashing skulls and bones; and the local mafia are still extorting money and controlling people in their neighbourhoods. The people want to break free. They want to live, work and play, free from stress and intimidation.

Again, the people pose the question "Was the Declaration of Support by all the participants to the agreement that they would oppose any use or threat of force just empty rhetoric?" They ask "Where is the evidence to suggest otherwise?" Is it not a fact that the retention of illegal guns and explosives, irrespective of whether they are used, constitutes a threat against this entire community? It strikes me that too many Members of the House have been rather mute in their expressions of opposition to this threat.

The agreement was strongly recommended to the people, and they responded in an emphatic manner. All Members should now keep their side of the bargain. If some do not, they could be seen as hypocrites.

Christmas — the season of goodwill — is approaching. As the momentous year of 1998 draws to a close and a new year dawns, I appeal to the First Minister (Designate) and to the Deputy First Minister (Designate) to do what is necessary, in the spirit of goodwill, to reinvigorate the hope that was offered on Good Friday.

Those Members who have influence with the paramilitaries should do what is necessary to have the threat that is represented by weapons and explosives removed. Give the people back their freedom and let them enter 1999 unburdened by the yoke of fear and intimidation.

**Mr Roche:** The pro-Union electorate in Northern Ireland is becoming increasingly aware of the extent to which the UUP negotiators conceded, given the terms of the Belfast Agreement, a form of government for Northern Ireland entirely incompatible with democratic practice and the rule of law.

The core point about the governance of Northern Ireland within the terms of the agreement is that the representatives of Republican terror can take seats in the Executive without the IRA's ever decommissioning its terrorist arsenal. The position of the UUP negotiators, that the decommissioning of the terrorist arsenals is required by the section on decommissioning in the agreement and by the so-called Pledge of Office, is demonstrably false. The claims to the contrary made by the UUP negotiators mean that they are either trying to fool the pro-Union electorate or that they are so intellectually deficient that they do not understand the contents of the agreement they claim to have negotiated.

The fact that actual decommissioning of the terrorist arsenals is not required by the agreement does not invalidate the demands of the pro-Union parties in the Assembly — all of them, I hope.

This demand is based on the imperatives of democracy and the rule of law. They are non-negotiable in any civilised society, and that is the basis of the UKUP demand for decommissioning.

The UKUP is committed to the imperative of what should properly be regarded as the surrender of terrorist arsenals, even if that means bringing the Assembly down. Whether or not the Assembly collapses, in the event of Unionists holding the line on decommissioning, is dependent upon the SDLP. The choice for the SDLP is simple: either it retains the current alignment of the party with Republican terrorism or it commits the party to democratic practice

by demanding that terrorists give up their arsenals as a necessary condition for the formation of the Executive.

Unfortunately, it is unlikely that the SDLP will commit itself to the imperatives of democracy, and the reason for that is very simple. The intellectual incoherence of Irish Nationalism is such that only someone devoid of common sense would give two moments' consideration to what even Mr Hume's supporters refer to as his "single transferable speech" were it not backed by the cutting edge of Republican terror.

Mr Hume's commitment to the goal of a politically united Ireland, which he shares with the IRA, is such that, in the pursuit of this objective, he is prepared to give political respectability to Sinn Féin — a party which is an electoral threat to the SDLP. On this issue he seems to be blindly followed — never a commendable practice in politics — by the other members of the SDLP.

The moment of truth has arrived for Mr Hume and the SDLP. They have now to choose between the demands of democracy and the rule of law or support for terrorism. It is beyond belief that any party that designated itself "democratic" would demand a system of government in which the architects of terror for 30 years would govern the people they terrorised while retaining their terrorist arsenals, while their most experienced and ruthless operators were released from prison and while the RUC was destroyed within the terms of reference in the agreement which will dictate the content of the Patten Report. It is beyond belief that a supposedly democratic party such as the SDLP would support a system of government designed to meet every requirement of a terrorist organisation.

It beggars belief that the UUP negotiated such an agreement, but that is precisely what they did. It is obvious that the Leader of that party considered that what he had done was sufficiently worthy to merit his accepting the Nobel Peace Prize. Members of the UUP who did not participate in the negotiations have a significant choice to make — one that will determine whether Northern Ireland remains within the Union. It is in their power to ensure that a system of government, corrupt in its very design of appeasing terrorists, is never imposed on the decent law-abiding pro-Union community of Northern Ireland. When that historic vote is presented to them they must act against the core requirements of the agreement negotiated by their leaders and vote in the interests of democracy and the preservation of the Union.

**Mr Weir:** In a rapidly changing political situation there were two statements this weekend which were depressingly familiar and depressingly predictable.

The first was made on behalf of a terrorist organisation which indicated that it was not willing to give up terror. It wanted to retain its weaponry and to be able to assert force and violence.

The second was the response of Her Majesty's Government which indicated that the terrorist organisation concerned posed no threat to peace. As the French would say, "Plus ça change, plus c'est la même chose." For those who do not have schoolboy French, that means "The more things change, the more they stay the same."

I enthusiastically welcome this motion, not only because I have always been a supporter of Unionist unity — and this is a motion behind which I hope all Unionists can unite — but also because it is one which all true democrats should support, irrespective of whether they are "Yes" voters or "No" voters, Unionists or Nationalists.

I speak not for Union First but for democracy first. Democracy should be about the power of language; it should be about the power of persuasion, the power of ideas, not the power of one's weaponry. There is a need in any society for democracy to ensure that those in government are truly and irrevocably committed to exclusively peaceful means. That is one of democracy's demands. The key test for any party — Unionist or Nationalist, Loyalist or Republican — before entering government is whether that party is truly committed to democracy and exclusively peaceful means. If it is not, then it should have no place in the Government of Northern Ireland; that is not just a matter of principle, it is one of practical politics.

If terrorist organisations and front parties are allowed into government while still retaining the capability of inflicting terror on society, then government has a gun to its head. Whenever the demands of terrorism are turned down — whether on reform of the RUC, North/South relations or the so-called equality agenda — the implied threat is "If we do not get what we want, we will go back to doing what we do best." That must be remembered. Decommissioning is not intended to humiliate any particular organisation, but it is a key element of the test to establish whether an organisation is truly committed to a democratic and peaceful way forward.

This has two implications. First, as the Member for North Belfast (Mr Dodds) has said, it is not sufficient for there to be only a start made on decommissioning. At the very least, substantial and ongoing decommissioning is needed before people can be considered as democrats. An IRA at 99% or 95% of its efficiency would pose as big a threat to democracy as it does at present. The splinter group which caused the Omagh bomb was not a vast organisation with a huge amount of weaponry, but look at the level of destruction

it achieved. Token decommissioning is not enough — at the very least it must be substantial and ongoing.

We are about one third of the way through the two-year process, so at the very least, the IRA should be giving up one third of its weaponry. That is not too much to ask as a start. Or, as more than half of the prisoners have been released, perhaps the figure could be one half.

Secondly, while decommissioning is a step on the path to democracy, it is not a sufficient step. There are other ways in which the Republican movement and the Loyalists remain committed to a terrorist path. There has not been a declaration that the war is over. There was a statement from the Leader of Sinn Féin in the summer containing a vague aspiration that peace would be the way forward, but there has not been any statement from the IRA declaring an end to its war. We need to see that. We need to see an end to punishment beatings — these vile attacks carried out by paramilitaries so that they can control areas. Such activities are incompatible with being part of a democratic government. We need to see an end to criminal activity; we need to see the paramilitary organisations get off peoples' backs; we need to see a start being made to disbanding the terrorist organisations. Why do we need armies in waiting if these people are committed to peace? Finally, we need to see a return of the bodies of the disappeared.

It is clear that an organisation which retains its weaponry is not a suitable candidate for government. Equally, a Government Minister, backed up by a private army, or a private police force or a private mafia should not be permitted within a democratic society. Much movement is therefore required before any of the organisations can qualify as democrats, let alone be worthy to be in the Government of Northern Ireland.

I remain very sceptical about whether Sinn Féin/IRA, the organisation most likely to aspire to a place in Government, will make that transition.

In these circumstances, responsibility rests with Her Majesty's Government and with the SDLP. It is time that Mr Blair honoured the pledges which he gave to the people of Northern Ireland. We can move on without Sinn Féin to ensure that those who are not committed to a peaceful way forward are excluded from Government. There should also be an end to the release of prisoners while there is no decommissioning.

There is an onus on the SDLP to join with the other democrats in the House and leave behind those who have not abandoned terrorism. The only way forward is for democrats to work together, and that is the only solution acceptable to the people of Northern Ireland.

I support the motion enthusiastically.



3.00 pm

**Mr Haughey:** It takes a fairly spectacular kind of brass neck to accuse the SDLP, as Mr Roche of the UKUP did, of incoherence, given the events of the last 48 hours.

Those who believed that what we were engaged in was a tidy, predictable process governed by timetables and rules and observing strict procedures seem to understand little about politics, or about human nature. We live in an extremely volatile community — a conflict-ridden mess. To a greater or lesser extent, all of us have contributed to that mess, either through what we have said, or not said, either through what we have done, or not done, or through the attitudes that we have adopted. I am amazed that there are people who seem to believe that, somewhere in the firmament, there are vast, immutable truths and principles of which they, alone, are the guardians. They seem to be oblivious to the fact that debate, arguments and conflict on these matters have been part of human experience since the earliest times.

This process is as imperfect as the people who are involved in it, and, indeed, as imperfect as those who are not involved in it. It is as imperfect as any political process. Even so, we have made a great deal of progress. There are people in the House today who, a relatively short time ago, took the view that politics was futile and that the only way to solve the problems of this society was through the use of force. The political organisations associated with that attitude have now renounced it and are involved in the political process. I call that progress.

There are few people in the House who will not be able to recall, as I can, the occasions in the past when our telephones would ring in the early hours of the morning, and we knew that we were going to get the news that someone had been killed. We would always pray that the violence would not be that bad, that it would not have caused someone's death, but we remember the many occasions when the violence did cause fatalities, sometimes multiple fatalities. Let us be thankful that those days are gone.

That is not to say that there are no violent deaths or no violence in this society. Anyone who thought there would be a sudden end to a conflict which had lasted for centuries was either foolish or tragic. Conflict has declined, and our collective responsibility is to try to reduce it further, and to find ways and means of co-operating with each other to advance the interests of the electorate. We have a collective responsibility to make the agreement work. I firmly believe that the vast majority of people on this island want us to do that. The result of the referendum is evidence of that. The electorate does not want us to engage in some of the

cruel slagging, sniggering and jeering that occasionally goes on in the House.

While this process, like any other political process, is flawed and untidy, with ragged edges, our job is to make it work. If we are to do so, a certain amount of forward movement is necessary. We always found that when politicians do not give a lead, the political vacuum is filled with violence, and we are coming close to the end of the time that is available for producing the necessary forward movement.

My Colleague Seamus Mallon, the Deputy First Minister (Designate) said this morning that we cannot stand still because that would damage the political process. Since April, we have stood still in political terms, and have taken great risks with the integrity of the political process in which we are involved.

I understand to some extent the impatience which led to the motion and the amendments. We are impatient too. We want forward movement. We have tried repeatedly and consistently in recent weeks to produce such momentum, and we will continue trying until we reach agreement. But it should be obvious that agreement is possible only if both sides are prepared to shift their positions, to be flexible and to seek accommodation — and not to stick to rigid party positions. It should be obvious that pronouncements such as “This is our bottom line; we can go no further” and refusing to examine alternatives, are not the way to get agreement.

We must begin work on the North/South bodies and the Executive structures, and begin to tackle day-to-day issues relating to the Health Service, and our schools, which is what we were elected to do.

**Rev William McCrea:** I welcome the opportunity to speak in a forthright debate which is very relevant to our country at present.

My party recalled the Assembly to debate the pigs issue. We could have had a full day's debate then on general agricultural issues, but when we sought the agreement of the Social Democratic and Labour Party and Sinn Féin in the relevant Committee, we were blocked because those parties did not see that as relevant to their progress.

Today's debate is an acknowledgement of the reality of the situation. The motion notes

“a.no proposals have yet been made under paragraph 16 of strand one of the Belfast Agreement have yet been made,

b.actions since are set out in paragraph 8 of strand two of the Belfast Agreement have not been achieved”.

I will come to paragraph c later.

I have listened to the debate so far and have noted some of the remarks that have been made. The Member



for Lagan Valley (Mr Close) said that the people voted for the Belfast Agreement. The majority of those people did not know about the 440 amendments that would be made to that Bill. How can anyone say that this is what the people voted for, when even the Government did not know what it was suggesting?

I say to Mr Close and to this House that while there are those who boast about their “Yes” position, I am proud to say that I went to the people of Ulster with a “No” position. When I see terrorists walking the street, and when I see the RUC being dismantled, I thank God that my finger was not in that pie. I was not a part of that treachery, and I was not a part of the betrayal of those people. My Colleagues and I were commissioned to oppose that act of treachery, and we are doing exactly that. No one need be surprised that we have honoured our election pledges while so many others have failed to fulfil theirs.

Several Members have expressed their frustration. Mr Haughey and Mr Mallon were quite open about that. Mr Mallon cannot wait to get his hands on power. He cannot wait to get himself and his Colleagues in Sinn Féin into positions of power. The Member for East Londonderry said that he had been waiting for this since 1974. Between 1974 and 1998 we have had a blood-curdling, murderous attack on the law-abiding people of this country. Mr Haughey talked about waiting for the telephone call. Many of us in the Unionist community know exactly what it is like to wait for the telephone call, wondering whether relatives have been murdered. Many attempts were made to murder our relatives over those years.

Let us not pretend that nothing has been happening. Much has happened since the signing of the agreement. The Sinn Féin Member for Mid Ulster warned us that if his political strategy did not work, he and his colleagues would go back to what they know best, meaning of course the Armalite. It was a former member of that party from the same constituency who said that the strategy of Sinn Féin was “The Armalite in one hand and the ballot box in the other”. We know the background of the Sinn Féin Members.

We have been lectured about a new beginning and told that we are enjoying the fruits of peace. What kind of peace are we enjoying? In this morning’s newspaper there is an article entitled “The toll of Ulster’s young victims”. Here are the fruits of peace. More than 1,000 Ulster children have been murdered, beaten, intimidated or exiled by terrorists this year, according to Families Against Intimidation and Terror. Those are the fruits of peace. We have heard that in November alone there were 420 recorded terrorist incidents. Nine people were exiled, 67 intimidated, two shootings and seven beatings were carried out, and so forth. That is the kind of peace that we are talking about. This is the fruit of

the hard labour of the Belfast Agreement, and it does not end there.

Terrorists are walking the streets, snubbing their noses at those who have been murdered. In the very meetings which have been discussing the disbandment of the police, the murderers were laughing at the widows of their victims. I make no apology for describing the terrorists who do that as being no better than scum, and they have no part to play in the future of this Province. We have to defeat the terrorists in our midst, but under this agreement the terrorists have been released.

We had a lecture about equality. It is amazing how some Sinn Féin members have the gall to talk about equality. One might have expected that after the release of 214 terrorists half of the guns and explosives would be handed over, but that is not in the equation.

IRA/Sinn Féin sit there smugly. They may fool some people (those who think that they should be brought into government), but so far as the DUP is concerned, IRA/Sinn Féin represent a group of people that needs to be defeated — not cuddled up to, not appeased, and not allowed to become part of any Administration. The DUP will not be aiding or abetting any agreement that puts IRA/Sinn Féin into any future Government of this country.

On 5 December a demonstration — with full paramilitary regalia — was held in Dungannon in support of disbanding the RUC. Some people who took part in the parade wore full combat uniform and boots, and the ordinary people of Dungannon were subjected to verbal abuse. That is the kind of treatment we are being asked to accept in this country. Such is the fruit of a peace process. We are being subjected to mafia-type threats, extortion and drug-related incidents. Orangemen are still at Drumcree, but this rabble is allowed to walk the streets of Dungannon and abuse the people who live there. The number of troops has been reduced, routine military patrols have ceased, and so on.

IRA/Sinn Féin have no intention of disarming. Their present strategy in the political arena will take them so far, but when it can take them no further they will go back to doing what they do best. We have stood against all their threats and intimidation for the past 30 years. We have never knuckled under them, and, by the grace of God, we never will. We will see them defeated.

The lecture we had about there being no link between the IRA and Sinn Féin was very interesting. Martin McGuinness was convicted of IRA membership in 1974 and was jailed for 12 months in the Republic of Ireland. He told the court there that he was very proud to be an IRA commander in Londonderry.

What about Kelly? In 1973 he was convicted of IRA membership and of inciting others to join. What about

Gerry Kelly? He masterminded the IRA's Old Bailey bombing.

3.15 pm

**Dr Hendron:** On a point of order, Mr Presiding Officer. Is it in order for one Member to refer to another by his surname, as has just happened?

**The Initial Presiding Officer:** It would be proper to refer to a Member by his Christian name and surname, particularly where there could be any confusion. Members ought to pay attention to proprieties.

**Rev William McCrea:** What about Gerry Kelly? Yes, we heard the litany when they were trying to tell us that there was no connection, that they were not a part of IRA/Sinn Féin, that there is no such thing as IRA/Sinn Féin. Whom do they think they are fooling? So far as we are concerned, and so far as the Government are concerned, they are two sides of the same coin — Gerry Adams and all the rest of them. I could go on, taking them one by one.

There is a challenge to the DUP to galvanise the pro-Union opposition to the current policy of treachery. There is a challenge to Ulster Unionists: will they let Sinn Féin into government? There is a challenge to the SDLP: will they go on without their Sinn Féin? There is a challenge to the Government: now is the time to stop appeasing terrorism and defeat it.

**Mr Douglas:** Mr Trimble is on record as saying that, to make the Assembly work, it is essential that all participants be committed to peaceful and non-violent means. The Prime Minister is on record as saying that legislation will be introduced to deal with prisoner issues and with parties that are linked to paramilitary organisations. Mr Trimble also said that the UUP would hold Mr Blair to his promises, and would not sit in the Government of Northern Ireland with unreconstructed terrorists. He also said that this issue must be comprehensively addressed to our satisfaction. Paramilitary organisations must decide that the war is over, dismantle, disarm and stop the beatings.

Since the so-called ceasefire, there have been 450 beatings and murders. IRA/Sinn Féin have so far refused to disarm or to endorse the exclusively peaceful and democratic measures laid down in the Mitchell principles. For those of us who opposed the Belfast Agreement, it was no surprise when IRA/Sinn Féin said at the weekend that they would not give up a single bullet or one ounce of Semtex.

Neither was it a surprise when we heard that the Ulster Unionists, the SDLP, the Alliance Party and the Women's Coalition are still in talks with Republican and Loyalist murderers. As we know, they have broken their promises to the electorate many times before.

Loyalists were bought off by the Government when they were promised that prisoners would be released. The Government have also been bought off by IRA/Sinn Féin with the release of many savage murderers; the promise of ministerial positions in the New Assembly; the promise that many border checkpoints and posts would be removed and that all-Ireland bodies with executive powers would be set up; the promise that the Loyal Orders would be constrained by the Parades Commission; and the promise that the RUC would be reformed.

In return for those promises, IRA/Sinn Féin declared a ceasefire — such as it is — and told the Government that there would be no more bombs on the mainland, provided their requests are granted. Otherwise, they will do as they have done in the past — blow another town to pieces or murder a few more members of the security forces.

It is unbelievable that some Members who call themselves Unionists are prepared to go down the road of this corrupt process. It is also difficult to understand why those in the SDLP who call themselves democrats are prepared to support cohorts who have been responsible for many dire atrocities. It is also difficult to understand why they have not, at any time, used their position to encourage decommissioning. I suppose it is because their ultimate goal is the same, and they are prepared to accept anything to further their aim.

It is time for the Assembly to insist on decommissioning. Unreconstructed terrorists should not be in Government.

There has recently been much use of the word "equality". As British citizens, we demand equality of treatment, and reject this façade with the enemies of Northern Ireland. I support the motion.

**Mr Nesbitt:** The theme of the speeches by Mr Neeson, Mr Haughey and the Deputy First Minister (Designate) was that people are despairing because we are not reaching agreement quickly enough. It is better to take a little longer over the agreement and get it right than to rush it and get it wrong. It is as simple as that.

Where I live is part of the United Kingdom. Scotland had its referendum many months before ours; we had ours in May. If or when, and I believe it will be when, we move to full devolution next May, we will still be doing that ahead of Scotland. So we are moving at a reasonably rapid pace in comparison with other parts of the United Kingdom, and we have been having these discussions and debates against a backcloth of 30 years of violence which neither Scotland, nor Wales has had. That may be the pragmatic way of putting it, but the party I represent also reflects the agreement in full.

I note from the motion that paragraph 16 of strand one refers to Ministers and then, following that, to the

Executive. The word “follow” does not imply immediacy, but the word “after” is implied. No one has so far referred this morning to paragraph 35 of strand one of the agreement, and it is the heading of that paragraph that indicates the mode that we are in at the moment — the transition mode. Under the heading “Transitional Arrangements” paragraph 35 talks about Standing Orders (which we are working on), about working practices and about preparations for the effective functioning of the Assembly. That is what we are about. Let us get it right, even if it takes a little longer, rather than rush and get it wrong. That is my first point.

Sinn Féin representative Mitchel McLaughlin said

“There is no such party as Sinn Féin/IRA.”

Others have referred to that remark, and very vocally from my right. I do not intend to be as vocal or as strident, but this motion does not refer to one party — Sinn Féin/IRA — it refers to inextricable linkages. I have said this before and now I will say it again: a man and a woman are two separate individuals, but when they are married they become inextricably linked. It is to such an inextricable linkage that we are referring.

He also said “Why fear peace?” *[Interruption]* I trust that the Member is also inextricably linked, if he is married.

**Mr C Wilson:** Maybe Mr Nesbitt —

**Mr Nesbitt:** It is all right. I am glad that the Member is talking to me again.

Mitchel McLaughlin asked why we should fear peace. I do not fear peace. Indeed, I wish for peace. But what we have at the moment is not peace. We have the absence of the violence of the ‘70’s; we have a mere ceasefire. I remind Sinn Féin that ‘The Irish Times’ — not I — said quite rightly that there is an obligation on the part of Sinn Féin to deliver its part of the bargain. Fergus Finlay, the mentor of the Tánaiste, Dick Spring, when he was in that position, also said the same at that time.

The ‘Belfast Telegraph’ used two words which are very salutary for us all with reference to the IRA. The editorial said that it was a “threat undiminished”. A threat undiminished does not give us a peaceful environment. I wish for peace; I do not fear it.

I say to Members opposite, and to Sinn Féin in particular, that I do not fear equality. However, equality is not what Sinn Féin may wish it to be. The 40 nations of the Council of Europe have defined quality. The Forum for Peace and Reconciliation in Dublin said that we, as individuals, cannot pick and choose but must reflect the international consensus regarding matters of state. This refers to equality as “participation within the state”.

Those in a state who wish to be linked to another one cannot interfere with territorial integrity and sovereignty. That cannot be said of Sinn Féin or of its equality agenda. A fundamental principle of international law and practice is that the territorial integrity of states is recognised and that co-operation is built from within a state. That principle is not being recognised.

Sinn Féin says that the agreement is merely transitory, a staging post. Others say “We must go much further.”

Addressing Ulster Unionists in the Assembly, Mr Roche used the term “intellectually deficient”. While I support the motion, I do have one problem with it that Mr Roche may be able to help me with. The motion says

“any party inextricably linked with a paramilitary organisation retaining arms cannot give a total and absolute commitment”.

Does that not mean decommissioning? Mr Roche said that the surrender of terrorist arsenals is imperative. I am trying to get my intellectual coherence right.

**A Member:** Keep trying. Take your time.

**Mr Nesbitt:** I shall. I have the floor. I cannot get my mind round what appears to be logical but is illogical. When the Leader of Mr Roche’s party —

**A Member:** Which party?

Mr Nesbitt: Let us not delve into that. They have had a hard enough week.

Mr Roche talks about decommissioning, but Mr McCartney wrote in the ‘Belfast Telegraph’ on 1 May 1998

“Denial of equal recognition with democrats to parties fronting armed terrorists until such parties publicly and permanently reject violence and openly and positively disassociate themselves from terrorist organisations”.

That looks as if all that has to be done is to permanently renounce violence and disassociate themselves from those organisations.

**The Initial Presiding Officer:** Please bring your remarks to a close.

**Mr Nesbitt:** That has nothing to do with decommissioning.

**Mr Roche:** Will the Member give way?

**Mr Nesbitt:** I know that if I give way Mr Roche will not say “Yes” or “No”, so I will let him reflect on it.

**The Initial Presiding Officer:** It is not possible for you to give way as your time is up.



**Mr Nesbitt:** That is why I left the point to the end. I leave Mr Roche to reflect on what is an “intellectually incoherent” UKUP position.

**Mr Durkan:** This has been a useful debate. When the possibility for such a debate was discussed some weeks ago many parties favoured an opportunity to air and share views and concerns about the formation of government departments, North/South co-operation and implementation bodies, the British-Irish Council and the consultative Civic Forum. It was those four areas which, on 1 July, the Assembly asked the First Minister (Designate) and Deputy First Minister (Designate) to consider.

I pointed out on 1 July, when speaking in support of the nominations of Mr Trimble and Mr Mallon, that the issue of decommissioning does not relate to any of the functions or responsibilities of the First Minister (Designate) or Deputy First Minister (Designate). This also applies to the issues of prisoner releases and the Police Commission. The responsibility of the First Minister (Designate) and Deputy First Minister (Designate) is to lead Members on those aspects of the agreement which fall to the Assembly, either through the Assembly itself or by agreed mechanisms for relationships within the British/Irish or North/South framework.

The Deputy First Minister (Designate) has spoken of his frustrations that he and the First Minister (Designate) have not yet been able to discharge those responsibilities. They will still not be able to discharge their responsibilities if Members leave today thinking that we can still keep kicking all those issues in front of us. We cannot continue to do that.

The vexed question of decommissioning cannot be resolved this week. Parties have different stances on and interpretations of that issue. Members may feel that one party or another is misguided in its interpretation either of the issue or of the agreement. The Assembly can stop the issue of decommissioning being a deadlock by agreeing the new government departments, the initial tranche of North/South implementation bodies and areas for North/South co-operation, so enabling the necessary legislation and personnel arrangements to be put in place.

Over the last few weeks we have been trying to make progress — at least in those areas which will take time to develop further — without becoming caught up in a rhetorical shoot-out over decommissioning. Unfortunately, this debate has tended to be more about decommissioning than the issues which should have been before the Assembly — proposals and suggestions on new government departments, the initial areas for North/South co-operation and implementation bodies, the consultative Civic Forum and the Assembly’s

contribution to the British-Irish Council. That still has to be done.

Mr Nesbitt said that although the referendum in Scotland was held prior to the referendum in Northern Ireland less progress has been made there. Scotland has not yet elected its Parliament and does not have the salaries, allowances and running costs to pay. The Scottish people would be pretty angry if their elected Parliament could not sort out its government departments or determine its relationships with other bodies after six months. The comparison does not stand up. The context is different.

**A Member:** There are no gunmen walking the streets.

**Mr Durkan:** That is another reason for us to be more diligent and act more urgently here. The situation I have outlined is not the only difference between Northern Ireland and Scotland. Political inertia is less affordable in Northern Ireland. One of my fears about the Forum was that it would be a case of salaried intransigence. We seem to be in a form of salaried inertia and more urgency is required.

Some deadlines were in the agreement. The deadline of 31 October was there with regard to the North/South bodies and the North/South work programme. That deadline assumed that Government Departments would be organised and formed and that a shadow Executive would be up and running some time before that. That was the presumption at the time of the agreement, and it was there because that was the Ulster Unionists’ negotiating position in the talks. They told us that they could not agree North/South bodies in the negotiations, that these had to be worked out as part of the working of the new arrangements. They said that the new Departments had to be up and running with shadow Ministers in place, reporting to the Assembly on the areas which had been agreed with the Irish Government.

That is the way the Ulster Unionists said it had to happen, but they have reversed their negotiating position. Before they engage in any further discussion on new Government Departments in Northern Ireland, they want to sort out and limit the North/South bodies. David Trimble, quite rightly, talks about the importance of consistency and clarity in other places. I would ask him, and his party, for the same approach in the Assembly.

Today UUP Members have lectured the SDLP on its responsibilities in the current situation and have expressed disappointment about what they perceive as a lack of support for their position in some matters. I am dismayed that there seems to be a change in their position. If this Assembly is to have any credibility, we must make progress on these issues. The public should have the confidence that their will will prevail and that



the whole thing will not disintegrate when the parties push their own mandates.

In order for the agreement to work, we must make arrangements for the new Departments and for the North/South bodies. The agreement also has to work in all other aspects and, whether people like it or not, that includes prisoner releases. No one can make preconditions. Whether we like it or not, the work of the Independent Commission on Policing will be part of the success of this agreement. There must also be real progress on decommissioning.

Mitchel McLaughlin said that Sinn Féin wants to see the gun removed. Other people who have put the case for decommissioning want to see the gun removed, but it has to be something that is visible. Sinn Féin, in its own terms and in its own time, has always insisted that it does not want anything implicit or anything under the table. Everything has to be upfront, visible and obvious — something that it could take to its constituency. That was the case during the negotiations with regard to prisoner releases, the need for movement on policing and a variety of other issues. It said that these were not negative demands to get what it could from the first “takings” of the agreement, rather it was to enable Sinn Féin to go to the constituency and assure people that there was something real for them in this agreement.

The same case can be made for disarmament. We should not hear it continually dismissed as a red herring. The more it is dismissed, the more people become preoccupied with the issue. Let us all move on and help each other. The First and Deputy First Ministers should be able to put forward some practical proposals without the matter being confused or complicated by other party issues.

**Mr S Wilson:** The subject of today’s debate is clear. Do we hand to Sinn Féin the Christmas box of a place in the Government of Northern Ireland while it retains its guns or do we, as democrats, deny it that place until it proves that it has the same democratic credentials as the rest of the parties in this Chamber?

The debate has to focus on Sinn Féin. No matter whether one looks at its members’ statements, at the constitution of the terrorist organisation which it represents, or at the connections of its Assembly Members, there is no mistaking the fact that the full spectrum of terrorist activity is represented in the form of IRA/Sinn Féin in this Chamber. Whether one speaks about bombings, extortion, the organising of mass murder in this city, or any other line of terrorist activity, we will find in that party someone who not only epitomises the type of person who is engaged in one of those activities, but a person who has engaged in one of them. Should we allow such people into the Government of Northern Ireland?

It is worth focussing Members’ attention on these pertinent matters, and I want to look at some of the arguments of the parties who oppose Mr McCartney’s motion.

I was slightly perturbed to hear the First Minister (Designate) say “Let us not forget that it is not just the electoral mandate which entitles people to a place in the Government; it is also the fact that they are committed to democratic and peaceful means.” I hope that is not the loophole that he intends to use to push matters forward, as others are exhorting him to do.

I have been on Belfast City Council since 1989 when legislation was introduced requiring members of all parties to sign an agreement saying that they were committed to democratic and peaceful means. I have since seen Sinn Féin members get elected and sign that agreement, and then in the council chamber defend the economic warfare to which Belfast has been submitted by the IRA. I have heard them defend the so-called punishment beatings or refuse to condemn them after signing a bit of paper by which they are regarded as democrats.

Let us look at some of the other Members’ contributions. As I listened to Mr Neeson I was reminded of a comment by someone in another place, who said that if he intended to divorce his wife, he would hire one of the young lawyers in the Alliance Party to represent her. I thought for one moment that the famed open-mindedness of the Alliance Party was beginning to bear fruit when Mr Neeson said, in his strongest voice, that 1,000 children had suffered from human rights abuses, and that that was unacceptable. He went on to say that the Mitchell principles had been diluted so that a coach and horses could be driven through them.

In much more colourful language, his Colleague described how people’s bones were being broken and money was being extorted. At this stage I thought that this was a fiendish plot, that the Alliance Party was going to back Mr McCartney’s motion. But, having said all that, they came to what conclusion? By 21 December the First and Deputy First Ministers (Designate) should bring a final report before the Assembly. The implication of that conclusion is that it sets in train the process which will allow the very people who are breaking bones, extorting money and engaging in human rights abuses, to occupy positions in the Government of Northern Ireland. It is not a case of sitting on the fence — becoming the fence.

We then heard Sinn Féin’s arguments. Mr McLaughlin told us that Sinn Féin and the IRA have nothing to do with each other — and we all believe that. *[Laughter]* He went on to explain why that is so. He said that Sinn Féin does not believe in or support punishment beatings. Such a claim is a bit odd. I have been in a council chamber when Sinn Féin opposed a

motion condemning punishment beatings. But Sinn Féin — the master of words — gets round that. It gets round it by referring to such incidents as community corrections — not punishment beatings.

Then we were told that Sinn Féin wants to see the gun removed forever. Mr McFarland quoted Gerry Kelly, who, of course, does not speak for the IRA. They are not inextricably linked — in fact, they have nothing to do with each other. Gerry Kelly said that if Unionists keep on talking about getting rid of guns the IRA will go back on the streets.

But Sinn Féin's most conclusive argument is that nowhere in its election literature or its constitution is there a claim that it speaks for the IRA. Of course, Sinn Féin would not include that in its election literature. Why would it? And by using all of these arguments, Sinn Féin expects us to believe that its members are house-trained democrats who are fit to fill places in government. So far as the Democratic Unionist Party is concerned, Sinn Féiners are not fit to come through the doors of this Chamber, let alone take places in government. And it does not really matter how people try to paint them.

The same theme of support has been running through all of the SDLP's submissions. You cannot go back; you must go forward. You cannot be a wrecker; you must be constructive. You cannot be negative; you must be positive. So if you do not agree to let Sinn Féin in to government, you are the wrecker.

Let me remind Sinn Féin Members that those of us on this side of the Chamber have not spent the last 30 years trying to prove that Northern Ireland is a failed political entity. We were not the ones who boycotted institutions from the 1982 Assembly onwards. We were not the ones who, when things were not going our way, decided to run down to Dublin to try to muster support for an unreasonable point of view. We want to see Northern Ireland working. But politics in Northern Ireland cannot work if one adopts the immoral stance of putting those who have wrecked this country in to its Government.

The choice before the House is simple. It can either support Mr McCartney's motion, which emphasises that only democrats have a place in government, or it can surrender to those who insist on retaining their guns because they know that their demands are so unreasonable that the only levers available to them are Semtex and the gun.

**Mr Irvine:** Ulster Unionists should be careful about the motion. Paragraph c does not contain an opportunity for tokenism, and the Ulster Unionist Leader's speech in Oslo undoubtedly introduced the possibility of tokenism. Mr Weir diminished any possibility of tokenism, and went on to say that one

third of the arms would do. Any terrorist organisation with two thirds of its arms intact could inflict a serious blow. Those were Mr Weir's words, and Hansard will clarify the matter.

If tokenism is what people are about, they will be boxed in. Tokenism is a joke because people who are left with a small number of guns could operate a policy of work study and use the guns more often by passing them around. Mr Weir spoke about his penchant for Unionist unity. Those who advocated tokenism should carefully read the wording of paragraph c. It does not advocate tokenism. It wants absolute, total, complete and utter decommissioning. I hope that we all want that.

The many facets of the agreement were played out in living colour. Few, if any, of them were universally loved. Its creation was a great surprise to a vast swath of the population whose doubts about the matter probably had their foundation in a belief that their politicians were unwilling or incapable of doing what needed to be done.

The run-up to the referendum was a difficult time for those in the Unionist tradition. However, the moral imperatives which drove opinion have been passed into law by the greater number of people. Issues that were so disliked are to the fore, and that will continue. What do we do now? Do those who have a specific difficulty with the agreement continue to harbour annoyance, or do they accept the will of the people and embrace the only real chance that this society has to practise accountable democracy?

It is foolish to dismiss the extent to which emotion plays a part in our political life. But to be consumed by emotion when trying to charge a course to the future is likely to end in disaster. As things stand, that is how it will end. We are told that Trimble and Adams cannot move. If that is the case, this process will go down, and that would please some people. Some Sinn Féin hearts may harbour the notion that that would not be a bad idea, provided the daft old Prods get the blame for it.

I heard two inane comments when I was in the talks. One was the assertion that Sinn Féin does not represent the IRA, which prompted me to say at the time that we should get the IRA in because it was the people in that organisation with whom we had to deal.

The other remark was made by Mr McCartney. It was similar to things he said this morning in giving a litany of immorality in relation to punishment beatings and shootings. This morning, however, he left out the caveat "If this is peace, give me war." And I have plenty of witnesses.

*4.00 pm*

**Mr McCartney:** I am sure they are of good character.

**Mr Ervine:** Absolutely, and a couple in his own party perhaps.

Another issue that I should mention to the exalted Gentleman is that at least four others now realise that they cannot tell anything to the man who knows everything. It is that time of year — Christmas.

Perhaps this is the right time to encourage people to examine why paramilitary ceasefires were called in the first place. Were the ceasefires not some form of acceptance by the paramilitarists that the war was futile, that it is was unwinnable? But being in a war that is unwinnable is not the same as being defeated. There are those who have no concept of the difficulties that we have been going through. We know about the pain, the blood and the brains on the pavements; we know about news programmes by the day; we know about the suffering before, during and after the ceasefires. We know about all that, but we do not seem to have a formula or any policy that can cross the religious and political divide and give the people an opportunity to believe that there is a way out or a light at the end of the tunnel.

Those Members who have listened to me suggesting that we are heading for disaster may be pleased, but let me point out a couple of salient political facts — even though I am only an amateur. There is a British Prime Minister who is probably in the worst position that any British Prime Minister has been in in relation to Northern Ireland. This is not because there is not as much violence to deal with; it is because 71·12% of the population of Northern Ireland copper-fastened an agreement that is in danger of collapsing. What happens if Nationalism is able to pin that on Unionism?

As Mr McCartney advocates, as Mr Roche advocates, as the DUP advocates, there is no start date for decommissioning in the agreement. The question is therefore this; when does one resign from a deal, from a contract and from a covenant? That question will be asked of Unionism. It is also a question that the British Prime Minister will be asked about when Nationalism raps at the door of Downing Street and says this: “We know, Prime Minister, that it is difficult to manage a divided society, but it is worse than that. Our democratic rights have been denied by those who sat outside Castle Buildings, sharpened the knives, ran away from the problem, refused to deal with it and waited for the suckers to come out, waited for the people who have risked life and everything else to try to create an opportunity for a better way forward for the people of Northern Ireland.”

In a couple of years’ time when the Prime Minister has deliberated with Bertie Ahern and thought about what he might do to give Nationalism its political expression — as the Good Friday Agreement, copper-fastened by 71·12% of the people, was

supposed to do — does anybody think that the next thing to come will be a Unionist agenda? Are Members sure it will be a Unionist agenda or are they happy enough just to sing ‘The Sash’ and think loudly that everything will be all right? It will not be. If the deal is not done and honoured, the consequences will be very difficult. People have said that Sinn Féin and the IRA will not win. I have said that all my adult life. There are young, and not so young, people in the community who will take that literally. When they find that it is not a Unionist agenda and that Unionism has no part of the agenda that follows the collapse of the Good Friday Agreement, we will be in bloody awful turmoil. I know who I will blame. I will not support Mr McCartney’s motion.

**Ms McWilliams:** his has been a rather depressing debate, full of certainties from some Members. If, as he claims, Rev William McCrea is not treacherous, it makes the rest of us extremely treacherous. Mr Weir, who seemed to be making up his speech as he went along, told us that Union First wants the decommissioning of one third of the IRA’s arms. No doubt, next time we return to the Chamber, it will be two thirds. Mr McGimpsey told us that some parties are here because they have nowhere else to go. I remind him that, as well as the DUP, to whom he addressed his remarks, there are other parties here who have nowhere else to go. That may not be the best reason for us being here, but I agree with Mr Durkan, who said that subsidised inaction has gone on for too long. We are here to do business, and it is time that we got on with it.

Mr Nesbitt does not know much about marriage if he thinks that husbands and wives are always inextricably linked. They act independently, and if he knew anything about women’s rights he would know that that is what women seek when building partnerships — agreement to live with differences through thick and thin. Mr Sammy Wilson knows even less about divorce if he thinks that the husband gets to pick his wife’s lawyer.

Certainty after certainty have been repeated. Change creates uncertainty, and that is difficult. But I would rather have the uncertainties of today than the violence and mayhem of the past. We went into the agreement with some speed, but it was right to do that, try to avoid creating a vacuum which would create tension, such as we find in the Chamber. The only certainty now is that in May 71% of the people told us to make the agreement work. That does not ignore the fact, which was mentioned by the First Minister (Designate) in Oslo, that there is a cultural conflict between Nationalism and Unionism. It is true that Nationalism often deals in aspirations, but it is unfair to say that it always deals in aspirations, and not with realities. I have seen Nationalism combine both.



It is equally unfair to Unionism to say that it deals only with basic issues and not with wider aspirations. The agreement brought those two sides together, and taught us how to compromise. Members will realise that we would not have an agreement if one side had gained 100% of its objectives. It is, of course, easy for Mr Wilson to use absolutes to demonise people, but people such as Mrs de Brún, a member of Sinn Féin, are here to work. Mr Wilson should bear that in mind, as should those members of his party who will attend the meeting of the Committee to Advise the Presiding Officer. They should head not simply for the door, as they would like to do, but up the stairs, where the work is being done. They should not just stand there, acting out a political charade for the benefit of the television cameras. We will go on working.

**Mr S Wilson:** I would not go upstairs with you at any time.

**Ms McWilliams:** Mr Wilson knows little about sexual relationships, and he ought not to people about where in this building they should go.

**Mr J Kelly:** a Chathaoirligh, that remark should be withdrawn.

**The Initial Presiding Officer:** Order. Two Members should not be on their feet at the same time. I heard an intervention which was neither a point of order nor a point of information. It may not be on the record.

**Ms McWilliams:** For the record, Mr Initial Presiding Officer, I shall repeat the cheap, scurrilous jibe made by Mr Wilson. He said that he would not go upstairs with me at any time. Ha, ha, ha.

**The Initial Presiding Officer:** It will certainly now be on the record.

**Ms McWilliams:** Apart from Mr Wilson, no one is laughing.

**Mr Ford:** Mr Presiding Officer, will you please examine the record of this debate and rule on the propriety of the language?

**The Initial Presiding Officer:** I shall certainly do that, as I do in the case of every Assembly debate.

**Ms McWilliams:** We have not spent as much time as we should on other issues. We have concentrated on decommissioning and the politics of ultimatums. Perhaps one day we will have a healthy debate with Mr Wilson about the inclusion of more women in decision-making in Northern Ireland politics, which is in the agreement, or on community development as a strategic approach to resolving our problems.

Hour after hour, we have heard about wonderful solutions to our criminal justice problems. Mr Weir, an Ulster Unionist Back-Bencher, said that he wanted all criminal activity to stop, and said that he could stop it.

The agreement will not stop all criminal activity. We are politicians, not police officers.

**Mr Weir:** My words were that we need to see an end to criminal activity, and that terrorist organisations that were still involved in such activity should not benefit from Government office. I did not say that I could stop it.

**Ms McWilliams:** Mr Weir said that all criminal activity must stop now. We went into the negotiations not as criminal justice experts, but as political negotiators, and we are here as politicians. Let the police and politicians get on with their respective jobs.

The criminal activity to which Mr Weir and others referred is a fraction of that which occurs in this country. Member after Member spoke about the broken bones of individuals in communities, but we do not often hear about people who are beaten in their homes. When we talk about what constitutes terror, let us include all unacceptable forms of violence, be they domestic or, as Mr Weir would call it, but I would not, political.

Mr McCartney's motion refers to paramilitary organisations, and he spoke about the criminal activity of paramilitary organisations on the ground. Anyone who has worked on community development will know that people are trying to stop individuals — not organisations. I will lend them all the support that I can.

Mark Durkan made an honest speech in which, for the first time in the debate, he highlighted where the problems lay. I should like to request more consultations on those problems. In the negotiations we hit hurdles, but many parties brought their minds to bear on the problems and they were resolved. That consultation has stopped, and we need to restart it. In the absence of the departmental meetings, we must appoint liaison officers.

The fears were expressed in Oslo. Mr Trimble was right when he said that Unionism had built a cold house for Nationalism. It was also a hot house for Unionism. Those are both sides' fears for the future. Will people do again what they have done in the past? Will policemen be legitimate targets? Will we have a recurrence of past violence? Will it be a cold house, that does not respect our legitimate rights, or will people share in Government?

We must try to create the cornerstone that will make this House a place in which everyone's traditions are respected. Both sides fear that one day they will be an alienated minority. Only the agreement can end that fear, and it is time that we set up a Government.

Three things need to be done. First, we must set up the Departments and get into shadow mode. Secondly,



let us set up the implementation bodies, not through force but in co-operation.

The third concerns confidence-building. Our civic society has gone quiet about this political agreement — the trade unions, the business organisations, and the churches as well as the paramilitary organisations. Perhaps that is the formula that we need: that they are all behind our political agreement.

I oppose the motion and the amendments because they ask for a final report. When the report comes to the Chamber it should be in draft form so that we all have an opportunity to debate it.

4.15 pm

**Rev Dr Ian Paisley:** On a point of order, Mr Presiding Officer. You have said that you take care to look at Hansard and that you compare how we do things with what happens in another place. Perhaps you could look at the way our debates are conducted in future. In no other House would 100% of the Members belonging to a small party be called to speak in any debate. My party is small in the House of Commons — there are two of us — and in some debates we are not allowed to speak at all.

Those Members from the smaller parties who read homilies and attack the rest of us should remember that in another place only one of their Members might be allowed to speak. Why should 100% of one party be able to speak whereas Members from other parties who represent 10 or 20 or 30 times more of the people of Northern Ireland are not being heard? Something needs to be done about that if this is to be a democratic Assembly.

**The Initial Presiding Officer:** I wish to make two comments in response to your intervention. The arrangements for speaking, and for the conduct of the Presiding Officer, are different from those in another place. Requirements and restrictions have been put upon me by my advisory group, which makes it extremely difficult for me simply to follow what happens there. It is a constant struggle both to follow what happens there and to be equitable and reasonable. I continue to monitor what happens not only in individual debates but also in the context of activity over a period of time.

For example, in respect of the smaller parties to which you refer, there was no intervention at all yesterday that I can recall. I understand your concern, and I do not profess to get it right every time. I am very much in the hands of the Whips, and will continue to do my best, though imperfectly. Like all other Members, I hope to learn from experience.

In other places it is traditional to speak through the Chair. This is not to glorify the position of the Chair,

much less its incumbent, but to ensure that Members do not, by referring directly to each other, get into an unhelpful to-and-fro. I appeal to Members to observe the proprieties — not, I accept, those in our Initial Standing Orders, which are deeply inadequate — and the traditions of other places. Doing so will facilitate a less inappropriately robust exchange of views.

**Mr Foster:** As an Ulster Unionist, I seek peace, but not at any price. I seek progress, but not at any price. I seek confidence-building, but that is not going to happen unless there is decommissioning, and for that reason I support Mr McCartney's motion. I take it that the motion is intended to be constructive rather than contentious, and I am glad that he and the DUP have now joined forces with the Ulster Unionist Party to supporting the decommissioning issue — it is only a few short weeks since his party was making excuses for Sinn Féin/IRA's not decommissioning.

I decry the rhetoric of Sinn Féin. I am not convinced by it. I think that it is plausible and unctuous. Its deceit is evident, and it is time that it began to prove itself to society instead of vice versa. I am disappointed in the Alliance Party today — I thought it had more spine. Surely it should be supporting us on decommissioning as well. Does it fear what is in the undergrowth? Alliance's was a weak and pathetic show today, an exercise in playing to the gallery.

I heard Mr Ford on the radio this morning talking about being constructive. I would like him and everyone else in the Assembly to know that the UUP has always been constructive for the Province, throughout the years of its existence. We have never tried to bomb the Province out of existence, nor have we tried to make it unworkable — we have no apologies to make to anyone. We lead and hope that others are beginning to follow.

The UUP will keep its promises and its part of the bargain in the agreement. We will not be rushed into doing things that are not right — we are just as entitled to negotiate as others. In my opinion, others are stretching the agreement to the full — they are seeking extras. Everything that is talked about has to have all-Ireland involvement. We are not about to jump into that pool without any thought about it whatsoever.

Getting back to decommissioning, IRA/Sinn Féin and its paramilitary associates have a moral responsibility to decommission because that is an indispensable part of the agreement. That cannot be denied, and it is not a precondition whatsoever. It is a condition of the agreement.

After all these months, every part of the agreement seems to be moving except the decommissioning part. The onus is on Sinn Féin to take this forward. Her Majesty's Government keep letting prisoners out

without any reciprocation whatsoever. I urge that prisoner releases be stopped until decommissioning commences.

There is also a threat along the border, as reported by the Eire authorities. They are sending some of their elite gárda along the border. In spite of that, I am reliably informed that three or four check-points along the Fermanagh-Monaghan border are about to be dismantled. This is a very premature decision. It is leaving people in the Roslea-Newtownbutler part of Fermanagh feeling exposed and at risk.

When we talk about keeping to exclusively peaceful means we cannot forget about the Donegal Celtic/RUC issue. Was that not intimidation? Is that what the agreement envisaged?

After Omagh, and after 30 years of violence and murder, with people's bodies being picked up in body bags by the RUC, everyone was saying "This must never ever happen again." Everyone should be in this Chamber saying there must be decommissioning before there is any further progress. People are back in their trenches now and beginning to turn a blind eye to the lack of decommissioning. If it does not happen, the Assembly will flounder. In spite of this, the UUP is the only party, until today, that has been pushing for decommissioning.

We are talking about setting up bodies and Departments — that is ridiculous before decommissioning. We are being asked to set up a Government in spite of the fact that we know that, outside in the undergrowth, there are weapons and equipment ready to be used — a-gun-to-the-head attitude. Is that what we are being asked to do? Are we being asked to govern in spite of the fact that there are illegal armies and equipment out there?

Mr Presiding Officer, do you really feel that you could preside over a Government? Would it be credible or incredible? Would it be a credible or incredible Assembly? Would it be dishonest or honest? Would it be deceit or falsehood or a lack of integrity? Are there no morals whatsoever?

Surely we cannot begin to govern until there is decommissioning when peace, I hope, will be absolute. The onus is on Sinn Féin/IRA to do so. It is not on the UUP. We have reached out the hand of friendship; we have been positive; we want to work for the good of all people; but other people have to work as well. I trust that all parties in the Assembly will put pressure on Sinn Féin/IRA. Decommissioning is a must, and nothing will move until that comes about.

I support the motion.

**The Initial Presiding Officer:** It was a rhetorical point. I can assure you that I will not be presiding over any Government. Debates are as far as my remit allows.

**Dr Hendron:** As somebody who has attended people with broken bones, broken bodies and broken hearts for many years, I feel that I have some important points to make.

First, I want to address the Member for Lagan Valley, Mr Roche, who had the cheek to give my party a lecture on democracy. Let me remind him that the SDLP, with our Leader, John Hume, at the helm, has been at the forefront of democracy and real politics in this land for over 25 years.

Secondly, I listened to the very eloquent and passionate speech by the DUP Member for Mid Ulster, Mr McCrea, a speech that I have heard many times before in the House of Commons. While I can agree with some of the points that he made, I thought there was a certain hypocrisy about the general timbre of what he said. I recall very clearly — and so does a large proportion of the population of this land — his standing on a certain platform.

I hesitate to make this point because a certain other person on that platform was foully murdered after that. At the time the Member said that his actions were in support of the right of that person to speak, that it was to do with democracy. I say to him that, to many thousands of people in the North of Ireland, he was by his actions giving succour, either wittingly or unwittingly, to the organisation to which that person belonged and which had murdered many people. That incident was not very long ago. Let us have no hypocrisy from Mr McCrea.

Having spent the last 30 years in medical practice in West Belfast, taking in the Nationalist Falls Road and the Unionist Shankill Road, and having been a public representative for 25 years in the same territory, and elected to conventions, Assemblies, Belfast City Council, the House of Commons and this Assembly, I have some experience in these matters. Though it does not seem so long ago, it was in 1975, in the Northern Ireland Convention just after the fall of the power-sharing Executive, that the UUUC, the combined Unionist parties, led by Harry West, sat across this Chamber.

I was pleased to see Mr West recently in this building and am glad that he is very well. At that particular time, opposite the UUUC sat the SDLP, the Alliance Party and Brian Faulkner with his small band of Unionists who belonged to the UPNI. The key words on both sides that year were "magnanimity" — everybody talked about it — and "trust". I had never heard anything like it. One would have thought that there was

a love affair between the two sides. However, the truth was that nobody trusted anybody.

We have come a long, long way since 1975. We have moved mountains since then, and I salute all the people and politicians in both communities who have brought that change about. As the Leader of the Ulster Unionist Party and First Minister (Designate) has said many times, people can change. Those previously involved in violence and paramilitarism on both sides — many good people who have made mistakes and have done things that were wrong — have given brilliant leadership.

It was in 1975, in this Chamber, that Bill Craig broke away from the UUUC — or, to put it more correctly, was pushed away because he proposed voluntary coalition. The Leader of the Ulster Unionist Party was part of that grouping, but at least he was trying to make some progress. The years have passed on since then.

I could go on about the many people I have known in West Belfast, patients and constituents, who have been brutally murdered. Indeed, I still see some of their family members.

4.30 pm

With regard to the attacks that have been made on Sinn Féin here. I am not a member of that organisation. I took on its party Leader at four Westminster elections, having taken the seat from him in 1992 and then, after a massive redrawing of the boundaries, he took it back again. I have no problem with that.

We would be wearing blinkers if we were to say that they were separate organisations. I totally agree with that. But there is an element of hypocrisy in the Chamber today. I believe that those people who were elected for Sinn Féin in the North of Ireland are trying to lead the Republican movement down the road of democracy, and that is the important thing about this. We can all scream and shout about things that happened in the past, though my experience of families who have lost loved ones is that the great majority support this agreement and want the First Minister (Designate) and the Deputy First Minister (Designate) to set up the Executive and the North/South bodies.

In the past we have had Vanguard, Ulster Resistance and the crowds acting like the grand old Duke of York's men who went up the hill waving hundreds or thousands — I am not sure — of gun licences. Some would say that they were legal. Perhaps they were, but they were winding up the paramilitaries.

Many times in Nationalist West Belfast I heard of other people wearing little red berets. I am not saying that they were directly involved in violence, but by their actions they were winding up the paramilitary organisations. I am tired of hypocrisy

I come again to Sinn Féin and decommissioning. My Colleague Mr Durkan, the Member for Foyle, made the point clearly that this is not the responsibility of the First or the Deputy First Ministers (Designate). I am aware of people who have been banished by the IRA; I know some of them and have intervened on their behalf. Almost every week I see families who have been intimidated by the IRA, and I am sure that there are families who have been intimidated by Loyalist paramilitaries. I cannot speak with any authority on that.

Members may ask why I do not support some of the points that have been made on the other side of the House. The answer is, as I have just said, that I actually trust the people from Sinn Féin who have been elected here — they do have a mandate and politically it is not in their interest for somebody to go out and smash somebody's knees.

In 1975 there was much talk about trust. We have moved a long way since then and there should be less talk about decommissioning now and more action. As Mr Mallon said this morning,

"In politics you do not stand still; you either move backward or you move forward."

Mr McCartney, the Member for North Down who moved the motion — and I do not mean this in any condescending way — spoke with great integrity. I believe that he is an honourable man. He speaks with great clarity and gives much thought to what he is going to say. He makes his point with clinical precision but politics is the art of the possible, and this is not a court of law. You cannot take the situation as it is and find a perfect solution; it is not like putting all the little bits of a puzzle together. I do not mean this in any condescending way. I accept the sincerity of the points that he makes, but if we follow the logic of what he and some of his Colleagues are saying, we are not going to get any agreement.

The people who are giving leadership in both communities to organisations that have been involved in murder should be supported, and that, I believe, is the will of the people of the North of Ireland.

My speaking time may be running out, but the days are running out as well. People on the Falls Road and on the Shankill Road — and both communities are represented here — are calling for this agreement to be implemented and for the First and Deputy First Ministers (Designate) to form the Executive. They also want the North/South Council to be formed along with the other bodies associated with it.

**Mr P Robinson:** I fear that when a word is used as often as "decommissioning" is, people forget what it means. The Northern Ireland newspapers have been trying to remind us what it means. On 31 October 1998



the 'Belfast Telegraph' listed the arms and explosives still hidden.

Under the Republican catalogue it says that they have: 2,658 kg of the Czech-made plastic explosive Semtex; 1,204 detonators (not 1,203 or 1,205); 588 AKM assault rifles; 395 other rifles; 40 sub-machine guns; 29 GPMG machine guns; 25 heavy weapons; 1.5 million rounds of ammunition (one for everyone in the Province); seven Russian-made flame throwers; 9 Sam 7b ground-to-air missiles; 11 RPG 7 launchers; 46 RPG missiles; and 2 Barrett Light Fifty rifles. That is just the IRA's catalogue of weaponry — a substantial hoard. It is no recipe for peace. These are not the resources that one would expect a "peaceful and democratic" organisation to have.

Some say "Give away 95% of it." Five per cent of that list would be sufficient to carry on a campaign of some significance, and they could replenish whatever stocks were given up. The reality is that those who wish to follow "exclusively democratic and peaceful means" do not need guns and explosives to make their case.

In practice, these weapons end up being used for criminal purposes, as happened in South Africa. Their removal also takes away a threat which gives Sinn Féin/IRA an advantage in bargaining. They do not give up their weapons because they provide them with an edge that they can take into negotiations. They are saying "If you do not give in to us then we will be out on the streets using these weapons."

The key issue is one of trust. The joint declaration stated the rules for entry to the political and democratic process: there had to be a permanent end to violence; parties had to be exclusively committed to peaceful and democratic means. The refusal of Sinn Féin/IRA to offer the word "permanent" suggested to the Unionist community that their organisation had not yet left violence behind and that they intended, if they did not get things their own way in the proceedings that would follow, to use the weapons again to further press the people of Northern Ireland.

I opposed the agreement because decommissioning was not required. The participants simply have to use their influence, such as they have, to try and bring about decommissioning. Not only was there no requirement for decommissioning; there was to be no sanction if it did not take place. It is wrong, therefore, for the Women's Coalition to suggest that if, in two years time, the guns have not been handed over, the whole edifice collapses. The agreement does not say that. There is a requirement in any society for those who are legitimate, constitutional, peaceful and democratic to give up any weapons they may have at their disposal.

The clearest parallel in the agreement to decommissioning is that of the release of prisoners. Both

are within a two-year time frame, and the legislation on sentences links decommissioning with the release of prisoners. It indicates that the Secretary of State has the power, if parties have not established or are not maintaining a complete and unequivocal ceasefire, to take them off the list. One reason for doing so is if they are not co-operating fully in the decommissioning scheme. Sinn Féin/IRA are not doing that: therefore the release of their prisoners should not continue.

There has been much talk about the 71% of people who voted for the agreement. The Democratic Unionist Party has been asked what it is doing in the Assembly as it opposes the agreement. We are in the Assembly because we have been given a mandate. As democrats, we recognise the fact that 71% of the people supported the agreement. They voted for promises that were made by the Prime Minister and the First Minister (Designate) in the referendum campaign.

It was clear, during that campaign, that the overwhelming majority of the Unionist community intended to oppose the agreement. The opinion polls that were regularly obtained by the Northern Ireland Office showed that. Focus groups were set up to find out why the Unionist community intended to vote in that way.

The Prime Minister put all his team into Northern Ireland. Presidents, Prime Ministers, pop stars, party leaders and business leaders were wheeled into the Province to try to change the views of the people of Northern Ireland. It did not work. The Prime Minister had to give pledges interpreting the agreement and showing what it would mean to the people of Northern Ireland. In the House of Commons, Mr Hague said to the Prime Minister

"May I welcome what the Prime Minister has said in the past about the need for decommissioning to take place before Sinn Féin members can serve as Ministers in the Assembly? ... Does he agree that prisoners should not be released early until the organisations to which they belong have substantially decommissioned their weapons?"

Hansard does not record exactly what the Prime Minister said in response. I raised this with the Speaker of the House of Commons on a point of order. The Editor of Debates in the House of Commons wrote to the Speaker as follows:

"I can confirm that certain words were deleted. That deletion was carried out by us.

The Prime Minister's exact words were 'What is essential is that any agreement must be signed up to in full, as we said, and the answer to his question is yes of course it is the case that, both in respect of taking seats in the government of Northern Ireland and in respect of the early release of prisoners, the only organisations that qualify for that are organisations that have given up violence and given it up for good.'"



The Prime Minister came to Northern Ireland to campaign. On 14 May he said

“People need to know that if they are sitting down in the room of the Executive of the Northern Ireland Assembly with other people then they are not sitting there with the guns under the table, outside the door and all the rest of it. That can’t happen and we must make it absolutely clear that that can’t happen.”

During that campaign the Prime Minister signed an advertisement containing five commitments to the people of Northern Ireland, two of which are relevant to this issue:

“Those who use or threaten to use violence must be excluded from the government of Northern Ireland, and prisoners kept in unless violence is given up for good.”

His most telling comment appeared in the Belfast ‘News Letter’ and, I believe, in ‘The Irish News’ on Friday 22 May — the day of the referendum itself:

“I have spent a great deal of the time talking to people about their concerns, and I believe the fundamental concern is this; how can people be sure that the present cease-fires are not merely tactical and that the terrorists will not reap the benefits of the Agreement, while retaining the possibility of a return to violence?”

The Agreement itself is specifically designed to prevent this happening — and I have made clear in the pledge I gave on Wednesday that I will make the Agreement stick. There can be no accelerated prisoner releases unless the organisations and individuals concerned have clearly given up violence for good — and there is no amnesty in any event. Representatives of parties intimately linked to paramilitary groups can only be in a future Northern Ireland government if it is clear that there will be no more violence and the threat of violence has gone. That doesn’t just mean decommissioning but all bombings, killings, beatings and an end to targeting, recruitment and all the structures of terrorism.”

The Prime Minister identified decommissioning and dismantling as the requirements for entry into government, and before the release of prisoners would take place.

I hope that every Unionist and every democrat in the House will support the motion in the name of Mr McCartney. There can be no place in the Government of Northern Ireland for those who still leave themselves the option of going back to violence if they do not get their way within the Cabinet. Let all Members declare very clearly to Sinn Féin/IRA that the guns must be handed over or there will be no room for them in an Executive.

4.45 pm

**Mr McCartney:** This has been an interesting and illuminating debate, not only for what has been said but also for what has not been said.

The contributions of the First and the Deputy First Ministers (Designate) can only be described as an exchange between Basil Fawlty and Manuel — do not mention decommissioning.

There was a total absence of any reference to the decommissioning issue at all, and some other Members, notably Mr Farren and to some extent Mr Durkan, decided that they would take on the mantle of not mentioning decommissioning, though otherwise they made very interesting and worthwhile contributions. In winding up I would like to respond to as many contributions as possible, and it may be necessary to group some of them.

First, I want to deal with the contributions of the First Minister, Mr McGimpsey and Mr Foster, who seem to be under the delusion that there is some inconsistency between my previous view and my support for this motion. There is no inconsistency, as I will explain.

I have always said that the agreement did not, expressly or by implication, put any obligation upon any of the parties actually to decommission. Indeed, it is quite clear that paragraph 3 of the decommissioning section only requires parties to use such influence as they may have upon those who possess weapons to decommission within two years. But, if they do not decommission, it will be virtually impossible to prove that those who have influence actually used it.

I have always held and advocated the view that is central both to my opening speech and to the motion that no agreement, no Government and no mandate can supersede or set aside the fundamental requirements of the democratic procedure itself. A person simply cannot be a democrat, possess weapons and say that if the democratic process fails to give him what he wants, he will carry out violence against those who deny him. That is a fundamental principle of democracy, whether it is in the agreement or not.

My opposition to the agreement is that this fundamental democratic requirement was never explicitly spelt out and that, by that failure, Sinn Féin was afforded some legalistic and literal opportunity to say that it was not required to decommission. For the present, I am delighted that all the pro-Union parties feel that they can, whatever the various routes they have taken to arrive at the conclusion, support this motion.

**Mr Foster:** Will the Member give way?

**Mr McCartney:** I will not.

I make no mention of the Alliance Party because I have difficulty in discerning where it is, but that is a problem which even Mr Nesbitt has difficulty in getting his mind round.

Let me move on to some of Sinn Féin’s contributions. I am delighted at this seasonal and festive time to note that the works of Hans Christian Andersen and the Brothers Grimm have been added to the “green book”. We have listened to fairy tales about the absence

of any connection between Sinn Féin and the IRA. These fairy tales extend to the PUP too.

I assume that the tooth fairy and other mythological creatures are operating in vast numbers in West and East Belfast, and that it is they who are really the villains whom the police should be asking about the broken bones, the murders, the drug peddling, the creaming off of a percentage from drug dealers, the extortion, the racketeering, all the oppression, the intimidation and the enforced exiles.

Mr Ervine talked about people having a pension — I think he meant “penchant” — for creating bridges. It is obvious that he saw himself in the role of bridge builder. But what bridges are being built and of what are the materials that those organisations, the PUP and Sinn Féin are using? They are murder, mayhem and mutilation. These people talk as if they have discovered the wheel of ecumenism as if they are at the forefront.

To those who see me as some sort of wrecker I can say that I have never murdered, maimed or made any sectarian comments. I have absolutely no baggage of a sectarian nature, nor has my party. Representatives like Mrs de Brún and Mr Martin McGuinness say that people like me are opposed to the equality agenda or to fairness, or that we are the sort of people who “would not have a Fenian about the place”. I believe that by “Fenians” (a very dismissive term) Mr McGuinness means Roman Catholics. Well, I have news for him. I have full cousins who are Catholic; my son is married to a Catholic; I have been in almost every Catholic church in Belfast and many in Rome. I believe passionately in the reformed faith, but I am so confident in that faith that I have no difficulty in exposing it to the faith of others. I have been employed by the Catholic Church as a professional barrister, I have been employed by Catholics, and I have employed Catholics.

I have no problems of any kind with Catholics, Nationalists or Fenians, but I do have an enormous problem with gunmen, thugs and villains who use violence for the purpose of achieving any aim, whether it be alleged social equality or some other form of equality. I have no desire to enforce my views upon anyone, but I will not be subjected to violence or to the threat of violence.

I hear some of these reformed criminals speaking, yet they are the sort of people who supported Loyalist gangs who went in with machine guns and sprayed teagues and Catholics.

These are the people whose inmates had murals on the walls of the Maze saying “Yabba Yabba Do, any teague will do.” These are the people who say that democrats — people who believe in the rule of law and in sharing but who oppose this agreement politically and democratically — cannot be good unless they have

previously been vile. A Member cannot be good unless he has a record of destruction, murder and mayhem. I am delighted that the UUP, DUP, UKUP and, I sincerely hope, members of the SDLP do not share such views. The SDLP Leader once said that there could be no discussion with guns outside the door, or on or under the table. I respect that view and I agree with it.

I have already quoted the Foreign Minister of the Republic, who said that there could be no question of gunmen looking at the democratic process, not liking what it has to offer, and going back to what they do best. John Bruton, who at the time of the Downing Street declaration was the Fine Gael Opposition Leader, said that the joint declaration meant that guns had to be handed in now. “Now” is a short word, but it has a clear meaning. It means immediately, forthwith, at once, without delay. There is no equivocation about its meaning now. That was the basis on which all Unionists and all democrats were led to believe that this process was founded. That was the direction that we were all to take.

Why is there an absence of trust and confidence in the pro-Union community? Because at every stage of the process those who were asked to give trust were the pro-Union community. According to paragraph 34 of the Mitchell Report, they were asked to believe during the negotiations that there would be parallel advancement of decommissioning and political negotiation. I did not agree with that. I agreed with Churchill’s comment about negotiating and compromising with Fascists. He asked where was the point of compromise between the fireman and the arsonist.

No guns or explosives were being used by the parties represented in the main line pro-Union community. There were no guns in the SDLP, but there were guns in the possession of Sinn Féin and the UVF — fronted by the PUP. I again return to the political ecumenism of Assemblyman Ervine. His party said that even if Sinn Féin were to decommission, the UVF would not. That helpful and charitable statement was made when, perhaps, there were greater prospects of decommissioning than at present.

I was honoured that Joe Hendron had sufficient confidence to retain me as his leading counsel when there was a petition to unseat him. I reveal no secrets that were not declared in open court. Evidence was given, not about guns, but about the behaviour of Sinn Féin as democrats during an election. The SDLP election agent had to be moved about from house to house during the election campaign for his own safety. If I am wrong I will give way to Joe Hendron. The windows of the SDLP offices were covered with human and animal faeces.

SDLP workers were subjected to all sorts of vile and physical abuse, to threats and intimidation. This was not going on against pro-Union candidates, this was the dirtiest kind of internecine political warfare against a democratic party.

I, for my part, will work with Nationalists and will endeavour to understand and meet their needs. As Nationalists their aspirations are different from mine, but I will share with them — I have no problem about that. I will go along with all their equality arguments, provided that they are based on justice and proportionality. But, in return, I ask them to throw off the yoke of their pan-Nationalism which binds them to a collection of people who demonstrate all the attributes of Fascism.

I beg them, I implore them, to put democracy above party politics and lend their support to this motion.

**The Initial Presiding Officer:** Under Initial Standing Order 12(1) the decision of the Assembly on the motion and the amendments will be taken on simple-majority basis. Let me remind the Assembly of what I said at the beginning of the debate. If the first amendment is carried, it will supersede the substantive motion and no further vote will be necessary. The same applies to a second amendment. If the third amendment is carried, the words will be added to the motion, and a vote will be taken on the amended version.

I also indicated that because the Standing Orders do not permit a closing speech in respect of amendments, I would formally ask the mover of each amendment if he still wanted it moved.

Amendment No 1: moved or not moved?

**Mr Neeson:** Moved.

*Question put:* That amendment No 1 be made.

*The Assembly divided:* Ayes 5; Noes 74.

AYES

*Eileen Bell, Seamus Close, David Ford, Kieran McCarthy, Sean Neeson.*

NOES

*Ian Adamson, Fraser Agnew, Pauline Armitage, Billy Armstrong, Roy Beggs, Billy Bell, Tom Benson, Paul Berry, Esmond Birnie, Norman Boyd, Gregory Campbell, Mervyn Carrick, Joan Carson, Wilson Clyde, Fred Cobain, Robert Coulter, Duncan Shipley Dalton, Ivan Davis, Bairbre de Brun, Nigel Dodds, Pat Doherty, Boyd Douglas, Reg Empey, David Ervine, Sam Foster, Oliver Gibson, Sir John Gorman, William Hay, David Hilditch, Derek Hussey, Billy Hutchinson, Roger Hutchinson, Gardiner Kane, John Kelly,*

*Danny Kennedy, James Leslie, Alex Maskey, Robert McCartney, David McClarty, William McCrea, Barry McElduff, Alan McFarland, Michael McGimpsey, Martin McGuinness, Gerry McHugh, Mitchel McLaughlin, Pat McNamee, Monica McWilliams, Conor Murphy, Mick Murphy, Jane Morrice, Maurice Morrow, Mary Nelis, Dermot Nesbitt, Dara O'Hagan, Ian R K Paisley, Ian Paisley Jnr, Edwin Poots, Sue Ramsey, Iris Robinson, Ken Robinson, Mark Robinson, Peter Robinson, Patrick Roche, George Savage, Jim Shannon, John Taylor, David Trimble, Denis Watson, Peter Weir, Jim Wells, Cedric Wilson, Jim Wilson, Sammy Wilson.*

*Question accordingly negated.*

**The Initial Presiding Officer:** Amendment No 2: moved or not moved?

**Mr McLaughlin:** Moved.

*Question put:* That amendment No 2 be made.

The Assembly proceeded to a division.

**Rev Dr Ian Paisley:** The doors are locked. In any other place the doors remain open until the voting begins.

**The Initial Presiding Officer:** For the last vote I asked that the doors be closed on the expiry of the three minutes. I did not ask that they be closed at this point for this vote.

*The Assembly divided:* Ayes 20; Noes 59.

AYES

*Eileen Bell, Seamus Close, Bairbre de Brun, Pat Doherty, David Ford, John Kelly, Alex Maskey, Kieran McCarthy, Barry McElduff, Martin McGuinness, Gerry McHugh, Mitchel McLaughlin, Pat McNamee, Francie Molloy, Conor Murphy, Mick Murphy, Sean Neeson, Mary Nelis, Dara O'Hagan, Sue Ramsey.*

NOES

*Ian Adamson, Fraser Agnew, Pauline Armitage, Billy Armstrong, Roy Beggs, Billy Bell, Tom Benson, Paul Berry, Esmond Birnie, Norman Boyd, Gregory Campbell, Mervyn Carrick, Joan Carson, Wilson Clyde, Fred Cobain, Robert Coulter, Duncan Shipley Dalton, Ivan Davis, Nigel Dodds, Boyd Douglas, Reg Empey, David Ervine, Sam Foster, Oliver Gibson, William Hay, David Hilditch, Derek Hussey, Billy Hutchinson, Roger Hutchinson, Gardiner Kane, Danny Kennedy, James Leslie, Robert McCartney, David McClarty, William McCrea, Alan McFarland, Michael McGimpsey, Monica McWilliams, Jane Morrice, Maurice*



*Morrow, Dermot Nesbitt, Ian R K Paisley, Ian Paisley Jnr, Edwin Poots, Iris Robinson, Ken Robinson, Mark Robinson, Peter Robinson, Patrick Roche, George Savage, Jim Shannon, John Taylor, David Trimble, Denis Watson, Peter Weir, Jim Wells, Cedric Wilson, Jim Wilson, Sammy Wilson.*

*Question accordingly negatived.*

**The Initial Presiding Officer:** Amendment No 3: moved or not moved?

**Mr Neeson:** Moved.

**The Initial Presiding Officer:** Amendment No 3: moved or not moved?

**Mr Neeson:** Moved.

Question That amendment No 3 be made put and negatived.

*Main Question put and agreed to.*

Resolved:

Noting that

a. no proposals under paragraph 16 of strand one of the Belfast Agreement have yet been made,

b. actions set out in paragraph 8 of strand two of the Belfast Agreement have not been achieved,

c. any party inextricably linked with a paramilitary organisation retaining arms cannot give a total and absolute commitment to exclusively democratic means of resolving differences on political issues or oppose the use or threat of force by others for such purposes,

this Assembly calls upon the First Minister Designate and Deputy First Minister Designate to lay a report on these matters before the House within 14 days.

*Motion made:*

That this Assembly do now adjourn. — [The Initial Presiding Officer]

**Rev Dr Ian Paisley:** On a point of order, Mr Presiding Officer I believe that you said you did not think that anyone from the Women's Coalition had taken part in the debate yesterday. In fact, Ms McWilliams did speak yesterday.

**The Initial Presiding Officer:** I accept your correction and welcome it, as I always do when you are right and I am wrong, which happens from time to time.

## SCIENCE AND TECHNOLOGY (BUSINESS)

5.30 pm

**Mr McClarty:** On 13 May 1998 the Chancellor, Mr Gordon Brown, said

“Northern Ireland needs more small businesses, but it also needs higher value-added businesses with potential to grow into the drivers of Northern Ireland’s future. That is why we are establishing an enterprise excellence programme. It will provide training, advice and access to finance to help today’s senior managers and research academics to become tomorrow’s entrepreneurs.”

His comments and subsequent announcements from the Government make it clear that science- and technology-based companies could be the means by which Northern Ireland might excel in the future.

The potential for the growth of science- and technology-based companies has been described as being equivalent to the onset of the Industrial Revolution. Those regions which are able to offer a market advantage and are willing to bring about the change necessary to embrace new products and innovative thinking, even though lead times will be longer, and expenditure on research and development will be higher, will be the affluent areas of the future.

Science or research and enterprise parks are widely accepted as providing a focus for knowledge — intensive development through research network groups and start-up or spin-off companies and an environment that is conducive to it. The relationship between the knowledge factories and other relevant economic actors is essential for an efficient process of knowledge transfer.

Existing technology and incubator programmes, both in Europe and the United States, indicate that the presence of certain characteristics and features in a region are vital to the success of this type of initiative. These success factors include proximity to a major university with a critical mass of high technology expertise and research and development activity; a business climate that encourages and supports innovation and entrepreneurship; a well educated and skilled workforce and a source of incubator clients; access to appropriate training and specialist services; and availability of seed and venture capital and appropriate support from public-sector agencies.

Experience in other regions which have embarked on a similar road in terms of science- and technology-based industry suggests that success is dependent on the ability of the university to promote its areas of excellence into the private sector and, at the same time, continue to nurture the embryo ideas into commercialisation. This approach raises many issues concerning ownership of the product, finding the right mix of entrepreneurs and scientists, the development of



patents and licences and market testing and commercialisation.

The successful development of science and technology parks in areas such as Pittsburgh, Boston and Horsholm in Denmark has not taken place in a random manner. Home-grown science- and technology-based companies have been nurtured in incubator units within the universities for many years before reaching maturity. Their potential to transform depressed areas ravaged by industrial decline is evident in the success of these regions, both in terms of low unemployment and the high quality of life reflected in the above-average salaries commanded by employees in these fields of excellence.

To capitalise on the research strengths and to maximise the benefit for our local economy, an infrastructure will have to be developed that stimulates and sustains the growth of spin-out companies after they leave a university campus incubator.

The inclusion of funding for science park development as part of the Chancellor's recent innovation funding package for Northern Ireland is therefore a very welcome development that could help meet this objective. It will provide an opportunity for Northern Ireland to capitalise on the excellent research and development programmes already established at its universities — most notably in Belfast and Coleraine.

The Coleraine campus, for example, is widely recognised for its outstanding work in the development of health and life technologies, based on its biomedical science, which has attracted top rating among all UK universities. This clearly gives Coleraine the pillars on which a successful biotechnology science park could be established. Similarly, other campuses in Northern Ireland offer potential for sector-specific excellence which will bring benefit to the whole Province.

It is important for Northern Ireland to grasp the concept of science parks and distinguish them from industrial parks. The future for science- and technology-based industry will revolutionise the modern world, and there are the opportunities in our present university system to capitalise on these dynamic developments.

The commitment of the Assembly to the process and acceptance that we are working towards the long-term prosperity of the Province by stimulating a new and dynamic industry sector can be of use only if the areas of excellence where this research exists are used as the foundations.

## **HUMAN RIGHTS (LEGISLATION)**

**Mr Attwood:** It is important that the Assembly acknowledge that last Thursday was the fiftieth anniversary of the Universal Declaration of Human Rights, and it is important for two reasons.

First, the Universal Declaration informed the notion of protection rights, which is central to the Good Friday Agreement that gave birth to this Chamber. Secondly, while not diminishing the conflict in our community, we are part of the international community where conflict has affected more people in more ways over more time.

While the Universal Declaration expresses our world's best hopes and achievements, it does so in the context of our worst fears and practices. The evidence confirms this. Last year there were extrajudicial executions in 69 countries, prisoners of conscience in 94 countries and torture in 124 countries. Thirteen million people were refugees, and 300,000 under the age of 18 were child soldiers.

However, experience communicates better than these facts and figures. This week last year, Bairbre de Brún, David Ervine, Robert Coulter, Davy Adams, myself and others were in Soweto, outside Johannesburg. All of us can now conjure up images of Soweto informed by countless media reports of defiance, dignity and death, but nothing can prepare you for the experience of Soweto.

Amid the noise of up to 5 million people, a silence fell among us. Nothing needed to be said, faced as we were with the rights issues of Sowetans — inadequate housing, sanitation and water, corrugated iron homes, standpipes and mobile lavatories at best. We saw extreme poverty, but far from extreme powerlessness. The issues are similar to the issues here, but far more intense.

What relevance can our conflict and our rights issues have to Soweto? I will return to that question later.

More locally, issues of rights have been central to and representative of our conflict. The right to life, the right to a fair trial, freedom from discrimination and freedom of assembly and procession are all issues that have been part of our political conflict and the culture of our political communities.

Often, when some have demanded rights, others have seen in those demands an attempt to deny their rights. People have felt that the ownership of rights has been more the possession of one community or the other rather than a common possession. The agreement of Good Friday offers a radical and refreshing perspective on how rights can be claimed by all for all.

The agreement properly places the present and future protection of rights in the context of our recent

past. The agreement says that we must never forget those who have died or been injured or their families. We can best honour them through a fresh start in which we firmly dedicate ourselves to the achievement of reconciliation and to the protection and vindication of the rights of all.

As citizens, it must be acknowledged that this is a hard perspective for us to accept and that there will be some who may come to accept it slowly, if at all. We here are not just citizens; we have a wider public duty, and to fulfil it we can join together on the issue of rights.

Speaking in Belfast 10 days ago the United Nations High Commissioner for Human Rights, Mary Robinson, touched on this theme and talked about how those who congregate around issues of human rights are enriched by what she called “a drama of discovery”. She talked of how the marginalised understand more than victimhood, legal experts more than the law, and trade unionists more than jobs.

This should also be the case in the political community. But vigilance and vigour will be required as the rights and requirements of the agreement are translated into policy and practice.

First, the words of T E Lawrence, better known as Lawrence of Arabia, should be regarded as a call for vigilance:

“When we had achieved and the new world dawned, the old men came out again and remade the world in the likeness of the former world they knew. They thanked us kindly and made their peace.”

The imprint of the old men in the North’s bureaucracy could be seen in the draft Settlement Bill, where some with influence and input frustrated the intent and content of the Good Friday Agreement. An external community lobby with internal political pressure reclaimed the agreement, but the need for vigilance persists.

The specification for the new post of Chief Commissioner in the Human Rights Commission is a case in point. As the only full-time Commissioner, this person will lead the consultation on a new Bill of Rights; he or she will promote awareness of rights, bring court proceedings and much more besides. Yet the Government’s job specification relegates a knowledge of human rights to being merely “desirable” and promotes management and bureaucratic skills with an apparent weighting towards a manager and a bureaucrat — weighting towards a civil servant as Chief Human Rights Commissioner. That is not the way to proceed.

The UN Commissioner recently said that any human rights commission

“composed of individuals committed to and with a strong record in the struggle for human rights is a prerequisite for the protection of the rights of all.”

Vigilance is required.

Secondly, there is the question of funding for the newly merged Equality Commission — a merger which the Government say is not cost-driven. There are at least two tests of their assertion. In Britain the Government have given differential funding to the Disability Commission and the Equal Opportunities Commission — £1 million and £6 million — to reflect the emphasis on disability rights, compared to gender rights.

Will they accept the same principle in respect of the merged Equality Commission here? Given the increased functions of the fair employment branch of the new Equality Commission, particularly the new monitoring of public authorities aspect, will they match new funding with the new powers? This Government — and Minister Paul Murphy in particular — have responded to the human-rights lobby in the past; it is time they did so again.

Thirdly, vigour is also required to ensure that the Human Rights Commission’s consultation on a future Bill of Rights for the North enjoys a full and free-standing budget and that the Commission does not have to borrow from its annual budget to fund a broad public debate on the content of the Bill. It is crucial that as a Bill of Rights is an essential building block in the creation of a culture of human rights, the Commission’s consultation is broad-based, local and international and involves other jurisdictions and agencies with specialist insight and information.

Fourthly, given that the Government failed to honour the Paris principles and the powers of domestic human rights institutions, particularly on powers of investigation, the Assembly should follow the example of the British Government which has agreed to co-operate with any human-rights-commission enquiry or investigation. This would be symbolic as a substantial demonstration of our conviction and commitment to the emerging new order.

Last week the First Minister (Designate) said that he

“had serious reservations about the merits of using any conflict as a model for the study, never mind the solution, of other conflicts”.

Perhaps, on one issue at least, Mr Trimble will reconsider. Whatever differences there are between people in conflict, they all share the issue of rights. As a late Queen’s University academic, Frank Wright, said,

"In national conflicts, law, order and justice are not issues that happen to arise from other causes. National conflicts, once they are fully developed, revolve around those issues".

Without rights there is no protection against summary detention or trial. Without equality there is no guarantee against discrimination or disadvantage. Different conflicts have common experiences, and with those common experiences come common solutions.

Our agreement to resolve our conflict moves right away from the margins and into the mainstream. That is part of its uniqueness. It is that part which is most accessible and understood internationally, and by peoples in conflict everywhere. As Mary Robinson said,

"That is why the world is interested in our agreement — why the world observes us."

In working out and living through the purpose, potential and promotion-of-rights protection in our agreement in order to end the conflict, we might inform and inspire others to work out and live through their conflicts. That is how our experience is relevant for the people of Soweto. We have a duty to succeed.

## ROADS (EAST ANTRIM)

**Mr Beggs:** I wish to bring to the attention of the Assembly the need for improved transportation links in east Antrim. There are urgent pressures for improving the main Larne to Belfast road, the A8, the main Carrickfergus to Belfast Road, the A2, the Larne-Carrickfergus-Belfast rail-link and the port of Larne.

The port of Larne has been designated as a major gateway to Northern Ireland in the "Shaping our Future" document. Larne-Cairnryan is the shortest sea crossing between Northern Ireland and Scotland, and is one of the busiest roll-on, roll-off ferry terminals in the United Kingdom. It also provides a container service to other mainland ports. It provides a highly efficient and frequent service, and is an essential umbilical cord for many of our manufacturing companies and their English, Scottish, Welsh and European customers.

The port of Larne presently receives only 50% grant aid. The trust ports such as Belfast and Londonderry receive grants of up to 75%. There must be a level playing field for fair competition to take place.

The main Larne-Belfast road is an essential part of the Dublin-Belfast-Glasgow/Carlisle trans-European network. There are several accident blackspots on that road — the Millbrook and Ballyloran junctions — which are costing lives on this key transportation route. Many houses have been built on the west side of the dual carriageway, and commuters find it difficult to

cross because of the high levels of road traffic. The high-speed nature of accidents on the road has resulted in some fatalities this year. The latest non-fatal accident occurred only 13 days ago. This is an urgent safety problem which must be addressed with or without the help of the Chancellor's package.

The 'Shaping our Future' document shows that 1,750 new houses are planned for Larne by the year 2010. This will add further pressures. The Belfast-Larne road — on the Belfast side of the Kilwaughter junction — becomes a single lane carriageway and offers no opportunities for overtaking. Our vital strategic transport link can be impeded by slow-moving vehicles on this single-lane trunk road.

Urgent safety issues need to be addressed at the Ballynure-Templepatrick junction where the road divides. The trans-European network continues to Belfast, and the other road carries traffic to Antrim and Londonderry. New housing developments at Ballynure have added to the pressure at this junction. Major safety improvements are urgently required.

I shall now deal with the Mallusk M2 slip road. The junction fails to carry the main commuter traffic. Two lanes on the M2 merge with two lanes from the Mallusk roundabout, and motorway traffic is frequently brought to a standstill. This causes a severe bottleneck that delays commuters and adds to the distribution costs of our companies. I urge an investigation into the design of that junction to devise a better method of maintaining traffic flow at peak periods.

The lack of improvements to the A2 Belfast-to-Carrickfergus road is exasperating commuters and inhibiting industrial development in the Carrickfergus area. There is a dual carriageway from Carrickfergus town centre to Seapark. There is then single-lane traffic to the University of Ulster at Jordanstown where there are two lanes of traffic in each direction. This bottleneck adds up to half an hour to journeys between Carrickfergus and Belfast during peak periods. This morning I met an ambulance coming against the traffic flow, and on such occasions, critical time is wasted.

I am dissatisfied, as are other representatives in the area, with the recent 'Moving Forward' document — a transport policy statement by the Department of the Environment. No reference was made in the document to the A2 bottleneck at Greenisland. Why should Members care about the A2? Traffic is so heavy on the route that many travel five miles inland to join the Belfast-to-Larne route — joining the trans-European route and adding to the congestion at Mallusk.

In the constituencies of North Antrim, South Antrim, Mid Ulster and even East Londonderry, the failure to

upgrade the A2 is impinging on commuters and hauliers.

The Department of the Environment advised of a traffic movement increase of approximately one million kilometres per year — from 34 million in 1994 to 38 million in 1998. It is predicted that this will lead to gridlock in Belfast in the next five to 10 years.

What suggestions to alleviate the problems in my constituency have been made in the 'Moving Forward' document? None, I suggest. There is a suggestion of bus lanes, but as there is only one lane on the A2, how could a bus lane be provided?

There is talk of the promotion of rail transport. The Belfast-to-Dublin and the Belfast-to-Bangor lines are being upgraded. Again, East Antrim has not been mentioned in the document. There is a need for the Belfast-Carrickfergus-Larne line to be upgraded. Bus and rail need to be upgraded.

I was pleased to learn that Bangor station is being upgraded, but I must again ask when some money will be spent to upgrade the stations in my constituency and other parts of east Antrim. Only when funding is provided to upgrade the rail service in east Antrim will commuters choose to let the train take the strain. Proper car parking provision must also be provided at stations.

I appreciate the commencement of improvements that are currently being carried out at the Carrick town bus/rail station car park. However, at present this purely involves putting tarmac on the car park and some security work. The station itself needs to be upgraded.

We need a first-class service that can be relied upon to transport my constituents punctually and in comfort to their destinations. Why should other Members be interested in rail upgrading in east Antrim?

**Mr Empey:** Hear, hear! [Laughter]

**Mr Beggs:** Well, is commuters do not leave their cars behind —

**Mr K Robinson:** Will the Member give way?

**The Initial Presiding Officer:** It has been agreed that, as these are maiden speeches, there should be no interventions. That is the convention.

**Mr Beggs:** If commuters do not leave their cars behind, Belfast, which is the heart of Northern Ireland, will become gridlocked.

Rail transportation is much more environmentally friendly, and I am pleased to hear that the Bleach Green line is to be upgraded. Members from North, South, East and West Belfast will already be aware of the high levels of asthma among young children, and using rail transport can help to reduce airborne pollution levels.

There is also the issue of equality. The existing rail service in East Antrim is not sympathetic to either the elderly or disabled travellers. Access to stations and carriages needs to be upgraded to allow the less fortunate to use public transport.

East Antrim is a vital link in the transportation network of Northern Ireland.

I urge Members to support investment for East Antrim so that we may have improved safety, increased economic efficiency, an improvement to the environment in the Greater Belfast area and improved accessibility for the disabled.

## CHILD ABUSE

**Ms Ramsey:** There is nothing worse than the failure of society to protect its most vulnerable people, and especially its children.

All too often in recent years each of us — regardless of financial standing, creed or class — has been disturbed and angered by the stories of children who have been abused by their families, trusted friends, neighbours or by those from whom one had a right to expect more — for example, teachers, youth leaders and the clergy.

Each scandal tells a tale of young lives ruined by others, of adults who neglected children or subjected them to emotional, physical or sexual abuse. This presents each of us with a fundamental challenge. It asks us to define what we mean by a "good society". But it is all too easy to point the finger at "dangerous" families, at "dangerous" adults, or at the "monsters" who prey on children.

We are failing the children by the comfortable nature of our outrage. We condemn the families, the paedophiles and the social workers who are all too often damned if they do and damned if they do not. We are failing children by not ensuring that educational services genuinely tap into the potential of each child and by not ensuring that the range of services designed to protect children is doing just that.

Children's services are in crisis — a silent crisis — and attention will only be brought to that crisis when an incident happens. There will be outrage then, and people will ask "What, how and when?"

The Children Order 1996 was meant to signal a sea change in the way this issue was to be tackled. The so-called 5Ps are the ideas underpinning this Order. They are: the rights of the child are Paramount; Prevention — an injection of resources to try to support children safely in their families and their communities;



Partnership — between all those concerned with protecting children; Permanency; and Participation — by children and families in any decision affecting their lives.

Community groups, political parties and childcare professionals alike welcomed this progressive piece of legislation. But for all of its high ideals, it has one Achilles heel, and that is, of course, a lack of resources in funding and personnel.

The Government have shamefully underfunded this legislation, and health boards and trusts have colluded in this. They maintain to be meeting fully their moral and statutory duties under the Children's Order, while at the same time everyone is concerned that the gross underfunding is putting children and families at greater risk.

I have been speaking of a real and ongoing crisis in children's services. Like other Members, I was invited to a conference on 30 November which was hosted by the Northern Ireland Public Service Alliance. It was called Crisis in Childcare. Those of us who attended were shocked at the scale of the crisis in children's services. The most extreme examples can be found in residential childcare.

There are cases of children who have been sexually abused sharing bedrooms with older people who have in the past been abusers. In one incident a child who was a victim of sexual abuse was admitted to a children's home. While there the young person became the victim of an attempted rape. There are also examples of children, who have been removed from their homes because of family breakdowns, sharing accommodation with vulnerable people who have learning disabilities.

Children who are suffering from mental illness are living in residential homes without having been assessed to see if they need specialised care. The level of overcrowding in residential homes is also unacceptable. Children are having to sleep on mattresses on the floor. As the problem continues to grow, staff are being placed under more and more pressure especially when trying to deal with difficult children. Staff also feel helpless and annoyed that they are not consulted about the children being admitted.

Such stories are a damning indictment of a Government which continues to ignore and cover up this problem. Children in residential care are not receiving the service that they deserve, and if the situation is not addressed, the problem will ripple on for generations.

Dr Kevin McCoy, a chief inspector of social services, said after visiting one such residential home that if the home had been run by the voluntary sector he would have closed it. Does this not beg a question? Reports

have been written and money has been promised with the aim of giving full expression to the ideals in the Children Order. Planned investment in all areas is needed to make the partnership between statutory, voluntary and community groups a reality. The rights of the child must be paramount.

## EQUALITY

6.00 pm

**Ms Armitage:** "Equality" seems to be the buzz word of the Assembly, and, having sat here for the past two days, I am not sure that there is anything left to say about it. Mr Initial Presiding Officer, given the two full days of debate, I am sure you and the Members will be quite pleased about that. Equality has also been addressed here before during an Adjournment debate. However, it was discussed from a different political background and from the point of view of a different gender. The political background may not be obvious, but I hope the gender is.

Gender is not an issue with me. I have little time for exclusively women's groups, women in politics, women's coalitions who cannot make up their mind whether they are political or not and women's pressure groups. Perhaps the need to create a party exclusively for women indicates a lack of confidence or an inability to integrate in to an existing forum. It also creates inequality. I do not support quotas for women, places for women or — I heard of this recently — boxes for women. Who wants to be a female jack-in-the-box?

There is more to equality than gender equality. It is an issue in sport. People are excluded from sporting activities because of their job and, more recently, because of their religion — a football match involving the Royal Ulster Constabulary was not allowed to be played even though the people behind its cancellation preach about equality to others.

Equality is an issue in the workplace. Last week I read a report suggesting that a minimum of 40% from one section of the community should be guaranteed a job in a particular workforce. It does not matter how this is achieved, just so long as it is achieved — there seems to be a new meaning for the word equality. Equality in the workplace should reflect ability to do the job, the qualifications required for the job, and relevant expertise and knowledge. Nothing else should matter.

When I attend a conference or seminar it makes little difference to me who sits on the panel or who organises the workshop. If the subject matter is explained in simple, straightforward language, and I can drive home

feeling more informed, I do not care whether the panel is made up of men, women or monkeys. What matters is that its members know their subject and be able to make things clear.

Will there ever be equality in everyday life? Listening to Members speaking in Irish does not bother me, but I do not know what they are talking about. Is it equality when only 10% of Members know what is being debated and 90% are excluded?

The Concise Oxford Dictionary defines equality as “the state of being equal”. Perhaps those who shout most about equality practise it least. One cannot and should not demand equality on one hand and seek special treatment on the other.

In Northern Ireland some ordinary people will not allow other ordinary people to walk down the road they want to walk down. So much for equality.

Disabled people have not been entirely forgotten — perhaps just put on the back burner. I hope that more money will be made available to adapt housing to their needs. That process has already started, and I congratulate those who have worked hard to provide a comfortable home life for disabled people. There is much more to do in this area in respect of everyday activities such as getting out and about and going to the

shops. There is also a need to attend to the lack of low kerbs and suitable transport. The list is endless. We could all agree on this issue because disability is no respecter of class, creed or colour.

It is almost Christmas, the season of peace and goodwill to all. I look forward to 1999, when there will be equality for all the people who live, work and enjoy life in this part of our United Kingdom.

**Mr Haughey:** On a point of order, Mr Initial Presiding Officer. I have reflected carefully on what I heard earlier. Should not Mr Empey be severely censured for declaring that he has no interest in the A2? That is a disgusting comment, and he should be asked to withdraw it.

**Mr Hussey:** On a point of order, Mr Initial Presiding Officer. It is reprehensible that only the eastern part of the Province should be declared in transport interests here.

**Mr Empey:** East Antrim: there was a health and safety warning to stay out of it.

**The Initial Presiding Officer:** Order. Some end-of-term hysteria seems to be creeping in.

The House is adjourned at the call of the Chair.

*The Assembly was adjourned at 6.09 pm.*

# THE NEW NORTHERN IRELAND ASSEMBLY

**Monday 18 January 1999**

*The Assembly met at 10.30 am (The Initial Presiding Officer (The Lord Alderdice of Knock) in the Chair).*

Members observed two minutes' silence

## **PRESIDING OFFICER'S BUSINESS**

**The Initial Presiding Officer:** By virtue of paragraph 1 of the schedule to the Northern Ireland (Elections) Act 1998 it falls to the Secretary of State to determine where meetings of the Assembly shall be held and when. I have received from the Secretary of State a letter directing that the Assembly shall meet at Parliament Buildings, Stormont at 10.30 am on Monday 18 January until 6.00 pm on Tuesday 26 January.

The Secretary of State has also indicated that she will consider a further direction in respect of this period, in particular in the light of any indications she receives as to the wishes of the Assembly after it has begun.

There are two matters on which I need to rule. The first concerns Mr Ford's request at the last sitting for a ruling as to whether language used by Mr Sammy Wilson about Prof Monica McWilliams was unparliamentary. I have considered the matter in some detail and have taken advice. The insinuation was undoubtedly discourteous and was regarded as such, and I again appeal to Members to observe courtesy. However, I cannot rule that the remark amounted to unparliamentary language, and therefore parliamentary discipline is not appropriate.

The second matter is that, having received an indication from four members of the United Kingdom Unionist Party that they had resigned from the UKUP and wished to form a new party, to be known as the Northern Ireland Unionist Party, I had to consider a number of issues.

The first is whether their resignation from the United Kingdom Unionist Party affects their right to retain their seats in the Assembly. I have taken advice, and I am unaware of any legal impediment to their so doing.

I have considered a letter from the four Members and have obtained advice from my legal counsel and others. Since refusal to recognise the new party might well be contrary to article 11 of the European Convention on Human Rights and would probably be legally perverse in a situation where the party appears eligible and is likely to be registered under the Registration of Political Parties Act 1998, I have decided to recognise it with effect from last Friday, which was seven days after receipt of the information that I had requested to satisfy me on some important aspects.

What are the effects of such recognition? Will it affect the appointment of Ministers, Chairmen and Deputy Chairmen, using the d'Hondt formula? On this I am unable to make a ruling because I have not received from the Secretary of State all the relevant additional Initial Standing Orders. In addition, there are a number of practical matters which will need to be considered subsequent to recognition of the new party: accommodation, party funding, Committees, seating in the Chamber, speaking order, and so on. These matters are being addressed and will continue to be addressed over the next few weeks.

I wish to draw Members' attention to the new clocks that I have had installed in the Chamber. Normally they will display the time not only in hours and minutes but also in seconds. Members may wonder why I have taken this action. When a Member commences speaking, the clocks will become stop-clocks, and the Member — indeed, the Assembly as a whole — will be able to monitor the passing of time. I trust that this will help us all to adhere to the times stipulated in the Standing Orders.

## **REPORT OF FIRST MINISTER (DESIGNATE) AND DEPUTY**

The following motion stood on the Order Paper in the names of the First Minister (Designate) and the Deputy First Minister (Designate):

This Assembly approves the report prepared by the First Minister (Designate) and the Deputy First Minister (Designate).

**Mr P Robinson:** On a point of order, Mr Presiding Officer. The Assembly is about to debate a report which purports to be based on an agreement between the First Minister (Designate) and the Deputy First Minister (Designate). Is the Assembly entitled to know if some of the elements in that report relate to conditions which are not contained in the report? The First Minister (Designate) sent a letter to a number of his party colleagues. This letter contained a number of indicators

(some more express than others) that he had entered into certain aspects of the agreement on conditions — for example,

“Our agreement to 10 Departments is conditional on it being cost-neutral over the lifetime of the Assembly. This will be achieved by a thorough review of government and the elimination of undemocratic boards and quangos.”

Has the Deputy First Minister (Designate) agreed that there will be no cost in setting up 10 Departments, as opposed to six or seven, and what changes will be made to boards and quangos?

**The Initial Presiding Officer:** While there are some issues which have yet to be clarified — such as the presentation of legislation and the responsibilities of the Presiding Officer — I do not think that there is any matter in the substance of what the Member has said on which I am required to make a ruling as a point of order. There may be political aspects, and those can be debated.

**Mr McCartney:** The Assembly is being asked to approve what is described in this motion as a report. The Assembly — and the public — are being told that this report will become a determination on 15 February 1999 and that this has been agreed by the First Minister (Designate) and the Deputy First Minister (Designate). Will this report not necessitate the ruling of the Initial Presiding Officer that it requires a cross-community vote and not a simple vote? If a cabbage is described as a rose, it remains a cabbage. If this determination is described as a report, it remains a determination.

**The Initial Presiding Officer:** May I try to clarify these matters as I understand them? The report fulfils the mandate that was given by the Assembly to the First Minister (Designate) and the Deputy First Minister (Designate) to bring forward a report by today. I have studied the report since I received it at the end of last week, and it seems clear to me that it is not a determination. If it is not a determination, it is required to be approved not by a cross-community vote but simply by a majority vote. This is the procedure unless, of course, a petition of concern is placed with me.

As far as the report's becoming a determination is concerned, the Assembly should first study it in detail. Differences of view and problems may become apparent during this debate, and I assume that the First Minister (Designate) and the Deputy First Minister (Designate) will wish to take such matters into account when they consider the matter further.

This report, in itself, makes it clear that it is not a determination. The First Minister (Designate) and the Deputy First Minister (Designate) are required to submit a determination to the Assembly for approval — that is very clear from the Standing Orders. The determination, if and when it comes, will have to be submitted to the Assembly for approval, and a vote on

this today could not possibly be regarded as an approval of the determination since the report makes it clear that it is not, in itself, a determination.

**Mr McCartney:** I accept your ruling, but may I humbly say that you seem to have overlooked the fact that people were told, by both the First Minister (Designate) and the Deputy First Minister (Designate), that the agreement which is embodied in what is today called a report will be in essence the determination which the said Ministers will put forward for the approval of the Assembly on 15 February. It would be a public scandal if today Members were to treat this as a report and not a determination and then the citizens of Northern Ireland were to discover that what had been treated as a report was exactly the same in essence as a determination approved by the Assembly by a cross-community vote on 15 February.

**The Initial Presiding Officer:** I cannot rule on the view expressed by Mr McCartney. It is quite clear — but I repeat lest there be any misunderstanding — that this report cannot be regarded as a determination and therefore cannot be approved as a determination. If a determination is submitted on 15 February it will have to be discussed by the Assembly and voted upon.

**Mr P Robinson:** Further to your ruling, Mr Initial Presiding Officer. Apart from its being formally described as a determination, is there absent from the report any legal element whose inclusion would make it a determination?

**The Initial Presiding Officer:** Members should not assume that the First Minister (Designate) and the Deputy First Minister (Designate) are presenting this report without wishing to hear the Assembly's views on it. However, it would be wrong for me to rule on that matter at this time.

**Rev Dr Ian Paisley:** Further to that point of order, Mr Presiding Officer. At the top of page five, in a special reference to the proposals on the departmental structures, the report says

“The set of proposals on Departmental structures which we commend to the Assembly signal our clear determination to provide leadership and momentum.”

On page six the photocopied version outlines seven proposals for departmental structures. Therefore a determination has been placed on departmental structures. On page five there is a reference to

“our clear determination to provide leadership and momentum.”

*10.45 am*

**The Initial Presiding Officer:** I repeat that this is not a determination. Members should study the report and listen carefully to what is being said today. The question whether there will be any legal impediments or difficulties in proceeding with the views outlined in this



report, and our moving towards a determination, will become clearer over the next few days as we take advice and proceed with the debate.

**Rev Dr Ian Paisley:** Further to that point of order, Mr Initial Presiding Officer. Should the Secretary of State decide that this is a determination, would she be entitled to proceed with the Standing Orders applying to that part of the report which deals with departmental structures?

**The Initial Presiding Officer:** It would be unwise for me to tangle with the Secretary of State on where her authority lies and where the authority of the Assembly might lie.

A determination can only be made by the First and Deputy First Ministers; not by a vote of the Assembly. When a determination is made it must be approved by the Assembly, otherwise it is not complete. Therefore, if we do not have a determination, it follows that whatever comes after this debate will have to be brought back to the Assembly for its consideration.

**Mr McCartney:** If I understand your penultimate words you are suggesting that, as the debate develops, it may become clear that this is more than a report — that it is a determination. As the debate develops, it may become apparent that all the requirements for a determination are set out in the report, in the sense that all the constituent parts required by law — the infrastructure and architecture for the 10 departments and the six cross-border implementation bodies and their functions — are present.

Is it your ruling, despite it being an insult to the intelligence, that it can be anything else? The First and Deputy First Ministers, by calling an elephant a snail, can make it a snail.

**The Initial Presiding Officer:** I am not sure about the analogies being drawn by the Member, but it is for the First and Deputy First Ministers to make determinations; not for me or the Assembly. However, it is important for voting purposes that I clarify whether a matter is a determination, since a cross-community vote is required for a determination.

The First and Deputy First Ministers have made clear in their report that this is not a determination. If, having taken soundings and heard the advice of the Assembly, they later determine that this report is the way forward, then they can make clear that this is their determination. But the report would have to come back to the Assembly for its approval before it could proceed further.

The position must be clear by now, and it can only become clearer if Members listen to the First and Deputy First Ministers (Designate) and debate the matter.

#### *Motion made:*

This Assembly approves the report prepared by the First Minister (Designate) and the Deputy First Minister (Designate) — [The First Minister (Designate) and the Deputy First Minister (Designate)]

**The First Minister (Designate) (Mr Trimble):** It is my pleasure to present this report to the Assembly, and I apologise that it was not available until late last week. I was surprised that it took so long to finalise, and to get all of the details right, as its substance was in the public domain from 18 December. I am also sorry that we did not quite get all the details right, as a typographical error at the foot of page 10 has remained undetected until a few minutes ago. The final consultations were on 2 December; not 2 November, as recorded.

This is not a final report, because important matters regarding the British/Irish Council and the Civic Forum are outstanding. It is hoped to bring forward proposals on these by the target date which we have set. It is also not a final report because it does not meet the requirement of Standing Order 21 that

“In making a determination .... the First Minister and Deputy First Minister shall ensure that each of the functions exercisable by the heads of the different Northern Ireland departments existing at the date of the determination are assigned to a Ministerial office (designate) or to a proposed central department or office under their joint control.”

Some time after 18 December we were informed by permanent secretaries that there were some functions which we had failed to allocate. I have a memorandum dated 13 January from the Head of the Northern Ireland Civil Service. It contains 26 functions that we had failed to allocate. Some are straightforward, but others are more substantial. Consequently, there is no possibility of anyone construing this as a final report or as a determination.

We hope by 15 February — and that is a clear target — to sort out the detail on this, the British/Irish Council and the Civic Forum, and to bring forward a final report, with all the necessary determinations, which will then have to be approved on a cross-community basis. We have chosen 15 February because we want to be in a position on or before 10 March to have taken all the steps required to provide for devolution. We want to be in a position to say that we (by that I mean the Ulster Unionist Party, our colleagues in the SDLP — indeed, the Assembly as a whole) have done everything procedurally to ensure that devolution can take place on or after 10 March.

I will now clarify the choice of 10 March, which some members of the press are misinterpreting. The Secretary of State, in her schedule, identified it as a possible date for devolution because that is the date currently scheduled for the March meeting of the Privy

Council. At the time of the Agreement we hoped to have devolution by February, since the date of the February meeting of the Privy Council is 10 February. Because of the time lost in October, with the delay in discussing North/South matters, we are not now in a position to hit 10 February.

However, even 10 March is not absolutely settled as it is not entirely certain that the Privy Council will meet on that day, although it will be around that time. It is therefore important to be in a position to have all the necessary arrangements in place before 10 March so that the possibility will then exist for actual devolution thereafter.

A determination in the terms that have been used, whether today or on 15 February, does not itself trigger the d'Hondt formula. Other things will have to be done in order for that to happen, in terms not just of what the Secretary of State does but also of what we are doing. This is not to say that there cannot be or will not be a shadow phase before the Assembly goes live. It is legally necessary for there to be a shadow period immediately before the transfer of functions because there has to be something to which functions can be transferred. Obviously we could not contemplate a shadow phase until everything is sorted out and we are ready to run.

When I talk about having everything ready I do not mean just the things that we have to do, such as these reports, the shepherding through of the legislation which will create the new Departments so that we can transfer functions to them, or our ensuring that the provisions of the treaties that will be entered into by the United Kingdom with the Republic of Ireland on areas of cross-border co-operation, along with the necessary legislation giving effect to those treaties, are drafted properly. Indeed, there are also approximately eight Orders in Council which we will have to ensure are done precisely and accurately. All this will involve much work by Members over the next month or so.

But, in addition to the procedural requirements, there is that which might be described as a political requirement, although it is not. It is the fundamental requirement of the agreement itself — namely, that all those parties proposing to be involved in the Administration demonstrate clearly and unambiguously their commitment to the democratic process and to peaceable means. We all know what that involves and what has to be done in respect of that.

I have heard some Members state that there is no precondition for entry to the Executive. They may be right, but only in a very narrow, technical sense. A precondition is something that has to be satisfied before something else is done. It is a once-and-for-all act, and, having satisfied the precondition, one moves on to whatever it was a precondition for.

However, with regard to the holding of office, there is something in the agreement that goes much further than a mere precondition. There is a fundamental requirement and a fundamental obligation. It is stated time and time again in the agreement — for instance, in the declaration of support on page one; on page seven where it refers to the formation of an Executive; on page nine with regard to transitional arrangements; and on page 10 with regard to the pledge of office — and there can be no doubt about it. It is a fundamental requirement that is being broken by paramilitary-related parties which refuse to carry out their obligation to deal with their weaponry.

It is also being broken by paramilitary-related parties when they continue to engage in so-called punishment beatings and attacks. And let there be no doubt about the responsibility of people in this regard. The 'Irish News' editorial of 7 January, referring to the attacks of preceding days, said

"In Nationalist districts there is little doubt that the attacks were the work of the IRA."

It also said

"All the attacks were plainly in breach of both the IRA's ceasefire and the Good Friday Agreement."

The attacks are also in breach of the requirements of the Mitchell principles whereby people accept responsibility for taking effective steps to prevent such actions. Furthermore, they undertake to renounce the use of force or threat of force and to oppose any effort by others to use force or to threaten force. But threats have been made in the last fortnight. Threats were made in a statement issued by the IRA, and exactly the same threat was made last Friday by Mr Martin McGuinness in an interview with 'The Times'. I do not see him here today to explain to the Assembly why he is breaking the Mitchell principles and the agreement by uttering threats of violence.

*11.00 am*

I then heard that same person trying to avoid his responsibility on decommissioning by saying that it was a matter for John de Chastelain and not for others. It is a matter for him, and he, along with other people sitting opposite, has the power to do it. He undertook an obligation to do it, and he is now seven or eight months in default of that obligation. Let there be no doubt that there is a political requirement for that to be done. I regret to say that Sinn Féin is being assisted in dodging its obligations by people who call themselves Unionists. They need to reconsider their position.

**Members:** Rubbish.

**The First Minister (Designate):** The cries of "Rubbish" come from the people whose consciences

are pricked because of their support for Sinn Féin in this matter — and so they should be.

There are many other things I could say with reference to this report. I believe that it carries us forward significantly. It lays out the basic structure which we hope to see operating on or after 10 March. There are more things that it requires us to do, and we will do our utmost to ensure that they are done by the 15 February, so that actual devolution can take place early in March, and I hope that all the other parties here will do what they have to do in that regard.

**Mr Adams:** On a point of order, Mr Presiding Officer. I am sure that the First Minister (Designate) will be pleased to know that Mr McGuinness is currently having the plaster removed from his broken leg and that he can welcome him here this afternoon.

**The Deputy First Minister (Designate) (Mr Mallon):** I seek the Assembly's approval for the report that is before the Assembly today and for a final report on 15 February. With the final report the First Minister (Designate) and I will have discharged the responsibilities placed on us by the Assembly's resolution of 1 July 1998. We will have completed the work necessary to enable devolution to take place. The Assembly's approval will put us on a flight path for devolution on 10 March. The details of that flight path are contained in the Secretary of State's schedule for the legislation and the other formal steps that have to be taken. There may be heavy clouds, there may be storms, there may be flak — there may even be hijackers on-board — but we can see the lights of the runway ahead. We know there is no going back and no alternative to landing the plane.

**Mr Campbell:** Can I get off?

**The Deputy First Minister (Designate):** I am convinced that we can do it — more convinced that we must do it. Anyone who watched the two BBC programmes on the last two Saturday nights and got an insight into the pain and suffering of the two communities in Northern Ireland has got to be gauche and unfeeling not to realise the extent of the pain and suffering that we have gone through in the past 30 years. All of us, no matter how gauche, have a responsibility to ensure that that never happens again.

I am certain that this agreement will not fail because of the anti-agreement parties. Yes, they have a point of view, and I, at least, do them the courtesy of trying to understand their point of view. We will hear it today in all of its manifestations, and it will be listened to with courtesy so that we can see what validity it has. If the agreement is not to succeed, it will be because of the collective failure of the

pro-agreement parties — the SDLP, the UUP, Sinn Féin, Alliance, the PUP and the Women's Coalition.

Let me recall what we all pledged ourselves to do on Good Friday in the Declaration of Support. We declared that the agreement offered a truly historic opportunity for a new beginning. Will history say that we took this opportunity, broke with the past and made a new start? We dedicated ourselves to reconciliation, tolerance and mutual trust. Have we shown those qualities? Have we promoted that reconciliation? Have we done it at all times and in all the ways that we should have done?

We reaffirmed our total and absolute commitment to exclusively democratic and peaceful means of resolving differences and our opposition to the use of the threat of force by others for political reasons. Have we left this issue hanging in the air, or has it become a tool of party politics?

We pledged to work to ensure the success of each of the institutions that have to be established. Have we shown the commitment and the necessary urgency in building the new arrangements and institutions? We should all ponder on those questions and look into our hearts and minds to see where the answers lie. These are the criteria by which we must evaluate ourselves because those are the criteria that will determine the ultimate success or failure of the agreement.

Together today, irrespective of our differences, we can all renew the spirit of hope that was embodied in the Good Friday Agreement. That almost impossible faith in the triumph of truth, tolerance and peaceful coexistence over hatred, suspicion and communal division provides the opportunity to restructure our society and the way in which we live, something that was denied so many generations. Today we should cast our minds back to that commitment.

On becoming Deputy First Minister (Designate), I took a solemn pledge of office. In particular, I pledged to discharge the duties of the office by serving all of the people of Northern Ireland equally. I accepted that the essence of the agreement is a partnership in which no side can expect to obtain its ultimate position. We left those positions behind when we signed the agreement. I accepted that partnership government will not work if every decision has to be resolved through brinkmanship. We have a choice: either we can be committed to the agreement or we can be condemned to failure.

With these principles and commitments in mind, I commend the report for Members' approval as an instrument designed to bring the process safely through to the concluding date of 10 March 1999. I would like



briefly to explain some of its different elements and the reasoning that underlies it.

With regard to the North-South bodies, I sought to obtain the greatest possible practical benefits for the people of Ireland, North and South. Yes, it was ambitious, but I believe in the benefits of a common approach to all of the major economic areas. But, like all Members, I must take account of others' points of view and their reservations. Equally, I accept that the Assembly requires cross-community support on major issues. That is not something that can be invented or pulled out of a hat; that is one of the ultimate challenges, and that applies to both the North/South areas and the proposed Departments. What we have agreed about those Departments — and many people have expressed views on that — will be presented for the Assembly's approval on 15 February 1999. In the meantime, work is now underway to agree the remits, budgets, staffing and programmes of work for the new institutions.

I hope that the Assembly will agree the 10 Departments when it meets on 15 February 1999. One of the issues underlying the number that was agreed was the need to cater for maximum inclusion. We had to ensure that each party got a fair crack of the whip so that no one would be disadvantaged by any decision on their number.

I ask those who make utterances from a sedentary position to bear that in mind, for often it is those utterers who would not have Departments if fewer than 10 had been decided upon.

With regard to primary responsibility for equality, it is self-evident that the office best placed to ensure the necessary cross-departmental monitoring is the Office of the First Minister and the Deputy First Minister. There is, however, another very important fact.

**The Initial Presiding Officer:** It is clear that the Deputy First Minister (Designate) needs more time to complete his presentation of this important report than is available under Initial Standing Order 8(5)(a). The time can be extended only by leave of the Assembly. Does Mr Mallon have the leave of the Assembly for an extension of five minutes?

**Mr P Robinson:** At the CAPO meeting there was a proposal that 30 minutes be available to the First Minister (Designate) and the Deputy First Minister (Designate), but that proposal was vetoed by the Ulster Unionist Party.

**The First Minister (Designate):** On a point of order, Mr Presiding Officer. You will no doubt recall that the Deputy First Minister (Designate) lost some time because of interruptions.

**Mr C Wilson:** Will this facility be available to others?

**The Initial Presiding Officer:** The facility to give leave for extensions of time is always available to the Assembly. There are matters upon which the leave of the Assembly cannot be given. For instance, Members cannot be given leave to speak more than once except in reply and so on. An extension is possible should it be requested.

**Rev Dr Ian Paisley:** Surely, when the Assembly has said that it is not giving the time, the matter is over. If one person says "No", the matter is closed.

**The Initial Presiding Officer:** Quite right, and to ensure that the matter is put beyond peradventure, I wish to call for the view of the Assembly.

All those in favour of the proposition say "Aye".

**Several Members:** "Aye"

**The Initial Presiding Officer:** All those to the contrary say "No".

**Several Members:** "No".

**The Initial Presiding Officer:** It is clear that leave of the Assembly is not given. I therefore have no option but to proceed to the amendment in the name of Dr Paisley.

**Rev Dr Ian Paisley:** I beg to move the following amendment: Leave out all the words after Assembly and add

"rejects the report prepared by the First Minister (Designate) and the Deputy First Minister (Designate) and contends it is detrimental to the Union with Great Britain, does not provide for efficient structures of government, nor does it address the essential issue of decommissioning."

Two papers were published last week — the report of the two Ministers and the timetable by the Secretary of State. But one thing was strangely missing from both: there was absolutely no mention of decommissioning. It is interesting that the First Minister (Designate) took much of his 10 minutes today to argue the case on decommissioning that he says his party adheres to. Yet there is not a line about decommissioning in this report — not one line.

On 18 December there was quite a furore that a wonderful agreement had been reached, and, of course, there were going to be implementation committees in the South of Ireland. Now, according to the agreement, the two Ministers had no right to take any decisions on those committees.

*11.15 am*

A decision on that could only have been taken by a North/South Ministerial Council. The First Minister (Designate) wrote to his party and said that he had defeated John Hume and Seamus Mallon and achieved agreement without forming the Executive. He added



that he remains committed to the manifesto pledge not to sit in an Executive with unreconstructed terrorists despite attempts at browbeating by the SDLP.

**The Deputy First Minister (Designate):** At least they listened.

**Rev Dr Ian Paisley:** The Deputy First Minister (Designate) may be prepared to travel in a plane with hijackers, but he cannot expect us to join him. Only a fool would travel in such a plane.

The paper written by the First Minister (Designate) reveals what was really happening. They thought that they could get this through, but they discovered that they were completely outside the law. The report recommends that the North/South Ministerial Council consider what has been said. That is not what was said originally. The North/South bodies are free-standing bodies. That is not what the Ulster Unionist Party said in its manifesto. A Minister will only have to make a statement about any decision he has taken. The Assembly will only have a say in matters concerning money.

This report is an attempt to weaken the Union. It does not provide efficient structures of government.

I listened with interest to the Deputy First Minister (Designate). He said that they wanted to widen it and hence they wanted 10 seats. He did not want to widen it for those Members who are not in a majority. It was nothing to do with Unionists in small groups — he wanted to bring in IRA/Sinn Féin.

I hear Mr McGrady saying that it was to get the Democratic Unionist Party in, but if there had been a seven-seat Executive, we would have been entitled to a seat — indeed, if there had been a three-seat Executive, under d'Hondt the DUP would have had a seat. Let not Mr McGrady pretend that he was thinking of the DUP, for we know perfectly well that there were no such generous thoughts in his heart. His thoughts were for IRA/Sinn Féin, his fellow travellers in the Nationalist camp. He was eager to get them in. The reason for having 10 seats is simply to get the IRA its place on the central committee.

With regard to decommissioning, if it is so important, then why did the First Minister (Designate) not get something written in? Even if there were a disagreement between himself and Mr Mallon, each could have put his case and his arguments — this is only a report. Why are we not dealing with that issue in this report? The reason is that after the decision is made today it is only a matter of form as to when we return.

**A Member:** Will the Member give way?

**Rev Dr Ian Paisley:** No, I will not give way. I have only 10 minutes and I am not wasting my precious time on the Member. I have more respect for the scriptural

injunction that tells us to redeem the time because the days are evil.

I heard somebody talking about injury time.

We are moving forward. Although the Ulster Unionists have said that we are only marking time, the First Minister (Designate) has told me that he is making progress. Progress on what road? He is not on the Union road; he is not on a road that will give us a Government that will maintain the Union.

In this most interesting report, the First Minister (Designate) has nothing to say about the members of the Unionist family who do not agree with him, except that we are hypocritical and dishonest. I am glad to know what he thinks of us. He seems to think that the SDLP is very honest and that he will be able to do a deal with Sinn Féin eventually. But he thinks that the rest of the Unionist family are dishonest hypocrites.

The vote today will show how thin his grip on the Unionist community is. He is clearly in great difficulty if he has to threaten to withdraw the Whip from his own Members to secure their votes. On a television programme last week called 'The Cutting Edge', I heard that he had a wafer-thin majority. That majority will go like snow off a ditch if he pursues the policy of a united Ireland, which is written into this report.

Those who endorse this post-dated cheque today will pay, but there are people in Northern Ireland who are not prepared to pay for this sell-out, and they will resist it. I say to the Deputy First Minister (Designate) that we are not riding on his plane.

**Several Members:** Time.

**Rev Dr Ian Paisley:** I am in injury time.

**The Initial Presiding Officer:** Order. There is no injury time.

**Sir Reg Empey:** We came here this morning anticipating a fusillade of attacks on this report, and that began with a series of points of order. They were blunted, and those who made them fell upon the barbed wire of your decisions, Mr Presiding Officer. Now an amendment has been moved. There are few people who can make a rousing speech like Dr Paisley, but the one he made this morning was not among his top ten, largely because he does not have a case.

Everybody knows that in spite of all their roaring and shouting, Dr Paisley and his Colleagues are stuck in this place, and they love it. They are taking every benefit from it and occupying every square inch of space that they can. The Democratic Unionist Party is the only Unionist party that has said that it will sit in an Executive with Sinn Féin without decommissioning.

**Rev Dr Ian Paisley:** That is a lie.

**Sir Reg Empey:** If I have to go and get the transcripts, I will. I am telling the House that he said that.

The other interesting thing he said was that the First Minister (Designate) had threatened our Members with disciplinary action. Can Dr Paisley confirm that all DUP candidates signed a letter for him confirming that they were signing up to certain positions? He did not trust their word; he had to get them to sign letters.

The issues are simple. I vividly recall that in September the Democratic Unionist Party said that the Ministers had presented a weak report without determination. Now it says that our final report is a post-dated cheque and it is terrible.

Some of us have worked hard for months to try to resolve these problems while others have done nothing. However, they have been taking their cheques at the end of each month. *[Interruption]*.

**Mr David Ervine:** I have been elected to listen and to take part in debate. I cannot hear the Member.

**Sir Reg Empey:** I shall endeavour to shout louder.

**The Initial Presiding Officer:** Members should observe the proprieties and listen to speeches.

**Sir Reg Empey:** Some of those who dish out criticism and abuse do not like listening to people criticising them. That is the problem that confronts us. We are in danger of losing the main plot which is about whether people are genuinely committed to the democratic process. Are people committed, as they are required to be by the agreement, to opposing the use of and the threat of force? Judging by current happenings in the community, there is little evidence of that.

There has been a huge upsurge in punishment beatings since the beginning of the year. Such beatings have reached record levels, and people are trying to make an issue of the acceptability of the police because of the operation of the Patten Commission. People perceive a vacuum, and all these factors show that some people are not genuinely committed to exclusively peaceful means.

If we do nothing else in this Assembly, we should ensure that those in government are demonstrably committed to such means. That is the key issue. While the different strands of Unionism can argue the toss, at the end of the day that is the issue that will determine whether this process succeeds or fails. It is designed to provide a path for those who have followed a paramilitary route in the past so that they may enter a political process that is exclusively committed to peaceful means. If people are not prepared to do that, it means that they are not committed and cannot therefore be required or permitted to enter government. It is as simple as that.

The community has been generous in its tolerance of what has gone on here for many years. It tolerates the release of prisoners and action on other issues over which local parties do not have direct control. Such matters are under the control of the Secretary of State. We must look at the opportunities because we all want power to be devolved to Northern Ireland. We want the opportunity that we have not had for more than a generation. We want to work effectively for our constituents in the delivery of social services, jobs and housing.

Until now we have been spectators in our own country, watching from the sidelines as somebody flies in to determine policy. In other forums and councils we have said, "Isn't it terrible what the Government are doing?" We have complained about decisions on hospitals, schools, houses and jobs. We have the opportunity in two months' time to decide for ourselves, and we must establish the firm foundations for that to continue.

11.30 am

The firm foundation is that those who aspire to exercise power must be committed totally and exclusively to peaceful means. That has to be demonstrated and maintained; it is not a one-off. If we are in government with a gun to our heads, metaphorically speaking, the trust that is needed successfully to govern the people of Northern Ireland cannot be created. We would look like hypocrites, and would lurch from one crisis to another.

Let us settle it now while we have the opportunity — the only one that this generation will have. People want that, although some argue that there will be a surrender. The issue is not about surrender. It is about genuine change which we must make and which this Assembly represents. Despite all the noise, everybody here has changed and will continue to change because not long ago we came through various processes to bring us to this point. Some fought their way here through the polls while others abused the system by using a ballot box and Armalite strategy, but we are all here because we cannot afford not to be.

**Mr McCartney:** We do not have to be here.

**Mr Empey:** Oh dear, poor Little Orphan Annie has to make a comment. We have to show compassion because anyone who has been deprived for over a month of the attentions of Cedric Wilson and Paddy Roche would make such comments.

The opportunity should not be lost. People who feel that the destruction of weapons by one means or another weakens their position or makes them any less Loyalist or Republican have not fully embraced the democratic process. If they have, they do not need those

weapons for any reason other than to threaten. The agreement has produced every conceivable mechanism to protect rights and equality. What more evidence of inequality could there be than somebody barging into a person's house and smashing his limbs with iron bars and baseball bats? That is inequality in its most virulent form.

The law has never been stronger. We are setting up all sorts of mechanisms, such as commissions and bodies for the proofing of legislation. Never in the history of any community in western Europe has more been done to ensure that everybody gets a fair crack of the whip. Everybody will have an opportunity to have a say and will have access to the law if an authority fails to do its job properly.

People must be confident that there is change and a determination to implement the new arrangements fairly. If there are failures, there must be adequate mechanisms to ensure that individuals, Ministers and authorities are corrected and prevented from doing anything which is to the disadvantage of any citizen. This array of apparatus presents the opportunity to take the step that is needed and to bring about genuine confidence. I hope that the House will take that step.

**Mr McGrady:** I expected the Assembly to give the people of Northern Ireland a better hope for the immediate resolution of our problems. The purpose of the Assembly, to which we have all subscribed and which is contained in our general rules, is to prepare to give effect to the agreement that was reached at the multi-party talks on Northern Ireland as set out in Command Paper 388.

**Mr P Robinson:** It is not.

**Mr McGrady:** That is what the Standing Orders say, and that is the condition upon which membership of the Assembly was accepted.

When the resolutions were passed on previous occasions from 1 July 1988 onwards, the First Minister (Designate) and the Deputy First Minister (Designate) were criticised for not presenting a report of the type that is now before the Assembly. As party members, we know the toil and sweat which has gone into this report, and it should not be dismissed lightly or allowed to fall between the stools of inter-party rivalry. That would serve no purpose, and certainly not the purpose of the people who sent us here. We often forget that we are here on behalf of the people. They have asked us to come to the Assembly to reach agreement on that which they have endorsed.

**Mr McCartney:** No, they did not.

**Mr McGrady:** The learned gentleman may be good at law but he is pathetic at mathematics. Seventy-one

per cent of the people endorsed the Good Friday Agreement.

**Mr McCartney:** Those who voted for me did not.

**Mr McGrady:** It is the learned gentleman's misfortune that he is not in the majority. I accept that there are other opinions.

**Rev William McCrea:** Is the Member saying that the minority have no rights?

**Mr McGrady:** Once again the reverend gentleman does not seem to be able to understand what is being said. I have experienced that in many places and on many occasions. To me, the concepts of majority and minority are viable and acceptable. The purpose of our debates is to ensure the fullest possible diversity so as to create the fullest possible partnership. Partnership in any field can be nurtured only if there is the mutual trust and confidence that will enable it to prosper. The report designates the broad concepts on which the governance of Northern Ireland could be achieved in a much better way than hitherto.

People may jibe about numbers. The SDLP was not the only party to recommend 10 Departments. Almost every party in the Chamber, on a cross-community basis, recommended that number. The Democratic Unionist Party has often said that it did not see any great disadvantage in having 10 Departments. That party is on record as saying that several years would be required to determine whether it was right to have 10 Departments. I hope that the DUP will not now advance some altruistic argument for having fewer than 10 Departments.

The arrangement of the disciplines within the 10 Departments should ensure the most effective delivery of services and must address the economic and social concerns of our people. Ten is not magic or immutable, but it is the best number for delivering that which has to be delivered.

I ask Members to look at the disciplines that are listed under each Department. While there may be disagreements over individual aspects, we trust that there is broad agreement that such an arrangement is the best vehicle for delivering the economic, social and cultural aspirations of everyone in Northern Ireland. I urge the House to support the motion.

The vote on departmental structures is an important milestone in the move towards establishing new regimes of government in which as many as possible of the elected representatives will participate not just at executive level but also in the Committees, the Chairmanships, the Vice-Chairmanships and as Members of the Assembly. Under these proposals, Northern Ireland will have the most democratic and



most accountable form of government that any country has ever had.

Given time, these novel, unique and most democratic structures, could well become a blueprint for other communities and other countries to follow, especially where there is racial, cultural or religious conflict. This would be a great blueprint for the resolution of difference and for the acceptance of diversity and would work for the good of the community that we are all trying to serve.

On the pre-Easter Friday we had an agreement. On the pre-Christmas Friday we had an agreement. I hope that before the next Easter Day arrives we will have in place a new Government that will serve all the people of Northern Ireland. We are capable of achieving this. There is inter-party antagonism, which is understandable and quite legitimate, but I appeal to Members not to use this process for party point-scoring.

It is easy to score party points or to be negative but there is nothing positive in such behaviour. While some Members were involved in bilaterals, trilaterals and multilaterals, those Members who oppose the Good Friday Agreement and who reject the will of the people of Northern Ireland did not make one constructive proposal.

I have not heard one constructive proposal from parties opposed to the agreement. Presumably they will oppose this report. Not one constructive alternative proposal has been put on the Table because these Members are concentrating on petty political point-scoring. They are sacrificing the good governance of this community to their own selfish party-political interest. Mr Paisley said that the people will pay. The people who are going to pay for failing to deliver the agreement are the people who are opposed to it.

**Mr Adams:** Go mbeannaí Dia daoibh. Ar dtús, mo bhuíochas daoibhse agus mo bhuíochas don Phríomhaire agus don Leas-Phríomhaire as an tuarasáil seo.

This report is not the report which was promised and it is not the report which this Assembly is entitled to. The First Minister (Designate) has refused to follow through on the logic of what he agreed to on Friday 18 December, and he refused to recommend that agreement for determination to the Assembly today.

*11.45 am*

The Sinn Féin leadership, reluctantly and after considerable discussion, has had to accept that the UUP has been able, once again, to buy time. In many ways, this has become the character of this process, and it is disappointing, not least because the report on the matters referred to the Assembly by the British Secretary of State was first dealt with on 1 July 1998.

I do not have the time or the inclination to take us through every turn of the road in the frustratingly slow effort to produce this report. There is absurdity in the Ulster Unionist Party's proclamation of a deal on 18 December and in its refusal to recommend that deal for determination today.

It is clear that it was Seamus Mallon's intention to have a proper report for determination today. It is equally clear that that is what Mr Trimble, the First Minister, refused to do. Sinn Féin is not convinced that this hesitancy is a result of the barracking and bluster of the DUP or the UK Unionist Party, or whatever it now calls itself. Our view is that, despite all the noise, the differences among the main Unionist parties are tactical.

That should not be the case; there should be clear strategic and tactical differences among pro- and anti-agreement Unionists. But because of the way the leadership of the Ulster Unionist Party has managed the process, there has yet to emerge, even today, a clear Unionist political formation which is prepared to bring in, voluntarily and with good grace, the type of changes that are involved in the Good Friday Agreement.

Mr Trimble had some interesting things to say in the debate, and I am glad that he has at last recognised that Sinn Féin was correct in its analysis of the Good Friday Agreement, and particularly on the lack of preconditions on the issue of decommissioning.

Therefore, Mr Trimble delays once again, perhaps in the futile hope that he can get the two Governments to acquiesce in his game-plan on the pretext of a spurious notion of preconditions.

The agreement has clear timetables and a clear chronology for the establishment of the various institutions, without preconditions. Therefore, the report may delay the inevitable, but it cannot prevent the inevitable. I welcome the section which promises a final report, with associated procedural motions, to be submitted here on 15 February to facilitate the transfer of power by London and Dublin by 10 March.

I want to deal with the substance of the deal of 18 December. Sinn Féin has, for some time, made it clear that it believes that the UUP would have to agree to 10 Ministries. That was the case, and it is a good development. For the first time — and we can hear the protestation from the unreconstructed wing of Unionism — there is numerical equality in the exercise of political power between Nationalist and Unionist in the North. That is a good development.

However, the rejection of a powerful Ministry, not just by the Ulster Unionist Party, but also by the SDLP, to tackle the core issue of equality is a major sop to Unionism. I have asked some of my colleagues to deal separately with the issue of Departments, but I take this



opportunity to reiterate our support for a Ministry to deal with children, a matter that could be addressed by the appointment of a junior Minister.

The recent negotiations were also to establish dynamic and powerful all-Ireland structures as envisaged in the Good Friday Agreement. We now have six all-Ireland structures — some of which are significant — but Sinn Féin retains considerable reservations about the outcome of these negotiations, especially the exclusion of inward investment from the all-Ireland business and trade body, and the debacle on tourism.

We entered these negotiations in good faith. For us the priority was strategic and political. We wanted to ensure that the legislative timetable required by the two Governments was kept and that the UUP did not succeed in its short-term aim of limiting the potential of the all-Ireland aspects of the agreement. We wanted to clear away the undergrowth and move towards the formation of an Executive that would include Unionist, SDLP and Sinn Féin membership.

With this in mind, Sinn Féin held a series of bilaterals with the Irish Government in the summer followed by trilaterals involving the Irish Government, ourselves and the SDLP. Sinn Féin also held meetings with the British Government and with the First Minister (Designate) and the Deputy First Minister (Designate).

It has been my party's consistent view that the British Government have a special responsibility to ensure that the Good Friday Agreement is implemented. We called, therefore, on a number of occasions for the British Prime Minister to be directly involved. Members will recall that he presided over a series of meetings on the evening of 2 December, that a deal was done, and that that deal was then reneged on by the Ulster Unionist Party with John Taylor memorably advising everyone to take a holiday.

I also have considerable reservations on aspects of how the negotiations were conducted, and I have put these firmly on the record with everyone involved. In the 36 hours or so of the negotiations leading to the 18 December deal, the UUP refused to engage in trilaterals with Sinn Féin and the SDLP even though, under the terms of the Good Friday Agreement, these three parties and the DUP were entitled to be involved in such discussions. The negotiations became convoluted, but because of Sinn Féin's priorities, as outlined earlier, we remained engaged in spite of the difficulties.

However, in the early hours of Friday, 18 December, Sinn Féin was cut out of the engagement. Martin McGuinness, our team of senior negotiators and I were left sitting in the office while Eddie McGrady

and David Trimble clinched their deal and announced it to the media.

I am not bringing this to the attention of the Assembly with personal or political rancour. I am drawing attention to it to highlight the pitfalls of tolerating, or acquiescing in, the politics of exclusion. The parties entitled to Ministerial positions by virtue of their electoral mandates should have been fully involved in the negotiations and the final agreement; this did not happen.

I wrote to the First and Deputy First Ministers (Designate) before Christmas expressing this view and how, in particular, the negotiations had excluded many parties, not just Sinn Féin. I was most critical of the fact that those parties entitled to Ministerial office were not fully involved. I requested that this view be reflected in today's report; I note that they have failed to do that.

In summary, Sinn Féin would have preferred that the report set up the Executive and other institutions in shadow form. Sinn Féin welcomes the commitment to do this in the final report, so, while underpinning our reservations on some of the issues, we welcome the progress that has been made.

Táimid mí-shásta, mar a dúirt mé, lena lán rudaí sa tuarascáil seo, ach dá ainneoin sin, táimid ag dul a vótáil ar a son: nó tá dáta cinnte inti nuair a bhéas David Trimble ag déanamh moltaí, agus tá Sinn Féin sásta leis sin.

A Chathaoirleach, one thing is certain. Unless the Unionist parties, and in particular the Ulster Unionist Party, can get the two Governments to abandon the Good Friday Agreement — which I think is most unlikely — the next steps towards implementing the agreement, steps which should already have been taken, are clearly visible. The Executive must be established; the all-Ireland Ministerial Council must be set up; and the other institutions must be put in place. There is talk of minorities and majorities; 85% of the people of this island gave voice to their dream of a new future with peace and justice. The Good Friday Agreement is a critical part of the process of bringing that about.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Mr Adams:** Sinn Féin has reservations which we want dealt with, but we will be voting in support of the motion.

**The First Minister (Designate):** On a point of order, Mr Initial Presiding Officer. At the outset the arrangement was that if someone used a language other than English then a translation would be offered. Towards the end of Mr Adams's speech there were some words which I presume were in Irish, in the course of which I clearly heard my name mentioned. I

might have wanted to comment on what was being said about me, but a translation was not offered. Consequently, I and other Members who do not speak Irish are at a disadvantage when referred to personally when we cannot understand what is being said. It is, at the very least, extremely discourteous.

**The Initial Presiding Officer:** From the beginning I have appealed to Members, if using a language other than English, to offer a translation. I cannot require that as a Standing Order at this point. It is, however, a matter of courtesy, especially if, in the course of using a language other than English, a Member's name is mentioned. There is a convention that in certain circumstances the Member may have an opportunity to reply. Therefore I appeal to all Members to please live by that courtesy.

**Mr Adams:** I intended no discourtesy, and I apologise to Mr Trimble if he feels that in some way I have been discourteous towards him. There is, of course, a huge argument for having simultaneous translation, which would get over this problem. It is difficult in the time allowed for people like myself to condense what we have said into English. I would have preferred to make more of my speech in Irish.

I said —

**The Initial Presiding Officer:** I cannot allow you to repeat it in English. That would be out of order. I cannot permit a Member on a point of order to then subsequently give a translation. That could be regarded as a way of creating extra time. Mr Adams has said that he did not intend any discourtesy, and that is welcome. With regard to the matter of simultaneous translation, that is not a question for me. I can only work through the Standing Orders that are provided. For the information of Members, the Committee on Standing Orders has already indicated that it wishes to address the issue.

**Mr Adams:** On a further point of order. What I said in Irish is what I said earlier in English. Mr Trimble was in conversation with some of his colleagues and may not have heard that.

**Mr Neeson:** I had hoped that the vote that we will be taking at the end of this debate would have been a determination vote. The Alliance Party is very much committed, not only to making the agreement work, but also to making the Assembly work. If this buys time to allow the process to move forward we are prepared to go along with that. It is important that the vote taken on 15 February is a vote of determination, that there is a full report from the First Minister (Designate) and Deputy First Minister (Designate) which will allow the Assembly to move forward to full devolution.

Last month the Alliance Party put forward an amendment in the Assembly, which was defeated. It

called for the First Minister (Designate) and Deputy First Minister (Designate) to come to an agreement on departmental structures in Northern Ireland and on North/South bodies. I welcome the fact that they have now delivered and that they have agreed to 10 Departments in Northern Ireland, although I do have some reservations about some of the other issues that were agreed upon. I had hoped that there would have been a separate department for equality and community relations, but that has now gone to the centre. I had hoped that tourism would have been included with heritage, arts and sport, but that has not happened.

12.00

I had hoped that a department would be created for external affairs to deal with the important issues relating to Europe among others, but that has not happened.

I am looking for assurances from the First Minister (Designate) and the Deputy First Minister (Designate) that scrutiny committees will be set up to oversee equality, community relations and Europe and that the Assembly will have the opportunity to scrutinise these very important issues. It is important that that matter be clarified.

Some thought must now be given to the make-up of the Committees of the Assembly. Under the Initial Standing Orders only a limited number of people can be appointed to them. The Standing Orders Committee needs to meet very soon to ensure that all Members are involved in the process. It is important too that the parties identify the people who will become Ministers and Chairmen or Vice-Chairmen of the Committees. The period between now and 15 February should be used to work out what is happening in this respect. I urge both the British and Irish Governments to pursue, with the utmost vigour, the legislative mechanisms so that by 10 March everything is ready for power to be devolved to the Assembly.

When the 31 October deadline was missed a major opportunity for the Assembly was also missed, and the delay that missing that deadline created has brought problems for many people here. That is why the 15 February deadline must not be missed. The reason for this deadline is to allow the Secretary of State to move forward with the Orders in Council to ensure that the 10 March deadline is not missed. I am pleased that these deadlines have been established, but it is essential that they are not missed — missed deadlines have resulted in missed opportunities.

I turn to the sensitive issue of decommissioning. It is nine months since the Good Friday Agreement was reached in Castle Buildings. The onus is on Republican and Loyalist groups to start the process of decommissioning. I accept what the Agreement says, and there have been a number of confidence-building

measures on the parts of all of us involved in the Good Friday Agreement.

I call upon the leadership of Republican and Loyalist paramilitary groupings to take the confidence-building measures that will build the trust which is required to move the process forward. This is a very serious issue and one that has to be addressed. We only have to look at the events since the start of the year — the escalation of paramilitary beatings and shootings. These are being carried out openly by Republicans and Loyalists. If we are to create a truly peaceful, democratic society in Northern Ireland, these barbarities have to stop.

With regard to the DUP's amendment — no surprise there. Over the years we have come to expect the DUP to say "No". We would be disappointed if it did not, and this amendment comes as no surprise whatsoever. There are many problems in society in Northern Ireland at present. There is a crisis in the Health Service — a major crisis. I ask if Members of the Assembly are afraid to take responsibility for dealing with important day-to-day issues? I do not believe that any individual Member is afraid. The sad irony is that the anti-agreement constituency is just as keen to see the transfer of powers to the Assembly as those in favour of the agreement, but they cannot have their cake and eat it.

The peace process means having to take risks. All the parties have problems with the process, and it suits some of them to say no, but it is hypocritical of some Members to reap all the benefits of the agreement, while letting others take all the risks. It is a sad reflection on those Members here who are trying to hold back the process.

I want to see the agreement implemented in full with the setting up of the North/South Ministerial Council, the British-Irish Council and the very important Civic Forum. It is time for the Assembly's pro-agreement parties to regroup. We obviously want to bring the entire Assembly with us as we move closer to the full devolution of powers. But evil forces — out to destroy the agreement and the Assembly — are at work, and there is an onus on all of us to have a fully working, devolved Assembly in place by the end of March 1999 at the latest. That is what the people of Northern Ireland want, and they said so loudly and clearly in last year's referendum.

**Mr Roche:** The report is the negotiated detail of the Belfast Agreement. It merely confirms the fundamental characteristics of that agreement as a radical corruption of democratic practice and the rule of law, and a massive concession to the demands of Irish Nationalism on the part of the UUP negotiators. This is most evident in relation to the provisions for the governance of Northern Ireland as set out in the report.

The UUP negotiators have capitulated to the Nationalist demand for an Executive with 10 Departments, which maximises the number of Sinn Féin seats and creates an Executive which is evenly split between Nationalists and Unionists. This even split is simply a recipe for deadlock and for ensuring that pragmatic policy-making in areas such as the economy will be subordinate to the demands of a Nationalist ideology that is literally divorced from social and economic reality on the island of Ireland.

But far worse than any of these practical considerations is that by agreeing to an Executive with 10 Departments the UUP negotiators have maximised the extent to which the decent, law-abiding citizens of Northern Ireland will be governed by the architects of the terrorism that has been directed against them for 30 years. This will be the case should the Assembly vote to accept the package being presented today. This terrorist strategy is based on a combination of the armalite and the ballot box, set out by Mr Adams in his book, 'The Politics of Irish Freedom', in which he elaborated the strategic understanding that

"The tactic of armed struggle is of primary importance because it provides a vital cutting edge. Without it, the issue of Ireland would not be an issue ... armed struggle has been an agent for bringing about change ... At the same time there is a realisation in Republican circles that armed struggle on its own is inadequate and that non-armed forms of political struggle are at least as important."

Between 1988 and 1992 the leadership of the SDLP forged an alliance with Sinn Féin/IRA that strengthened immensely the political dimension of Mr Adams's dual strategy but did not in any way blunt the vital cutting edge of IRA terrorism.

This armalite-and-ballot-box strategy was given international legitimacy by the Mitchell Report, which proposed taking the gun out of Irish politics by a political settlement that would obviously have to be agreeable to those who were committed to the use of the gun. Consequently, terrorists would have to be represented in the negotiations. This was facilitated in the Mitchell Report by establishing the fiction that representatives of terrorist organisations could authentically commit themselves to the principles of democracy and non-violence, while the organisations they represent retain their arsenals entirely intact.

This fiction is, of course, a radical corruption of the language of democratic politics which the UUP negotiators permitted to be incorporated into the core of the Belfast Agreement.

The report presented today involves massive concessions to both dimensions of Mr Adams's dual strategy. That dimension of Mr Adams's strategic



thinking which he designates “non-armed forms of political struggle” has been accommodated by the UUP leadership’s agreeing that Sinn Féin may have two seats in the Executive.

This arrangement is described in the report as the best possible form of government.

Contrary to what the First Minister (Designate) and the Deputy First Minister (Designate) have commended to the Assembly today, any civilised individual could not regard a government which includes Sinn Féin — even if the IRA were to decommission its terrorist arsenal — as anything other than something not far removed (if removed at all) from the worst possible form of government, rather than the best. Such a government should not even be contemplated, never mind negotiated, by representatives of the pro-Union community in Northern Ireland.

The First Minister (Designate) has not only the political effrontery to describe an Executive which will include two members of Sinn Féin/IRA as the best possible form of government, but he commends this arrangement as being necessary so that we can put behind us what the report refers to as “the tragic years of trauma and separation.”

But what caused the trauma and separation of the past 30 years? Certainly not the absence of a so-called best possible form of government in Northern Ireland, which is what the report clearly implies, but a barbarity within Irish Nationalism devoid of any humane constraint. The words “trauma and separation” do not in any case remotely capture the impact of Republican terrorism on those directly affected. These words were chosen deliberately in order to deflect any focus on the barbarity and culpability of those for whom this report provides two places on the Executive.

How does the report accommodate the armalite dimension of Mr Adams’s strategic thinking? The UUP negotiators capitulated to the armalite dimension when they negotiated the Belfast Agreement which does not require the decommissioning of the IRA’s terrorist arsenal.

The UUP leader disputes this interpretation of the Belfast Agreement but the UUP leadership has failed to act on the basis of its own understanding of the agreement. The report presented today does not mention the word “decommissioning”. This means that in the negotiations since 1 July 1998 the UUP leadership has totally failed to give substance to its interpretation of the Belfast Agreement by negotiating a requirement for the IRA to decommission prior to Sinn Féin’s taking seats in the Executive. Therefore the First Minister (Designate) and the Deputy First Minister (Designate) are today presenting, for the approval of the Assembly, a report which meets the core requirement of

Sinn Féin/IRA strategic thinking set out by Mr Adams in ‘The Politics of Irish Freedom’.

But that is not the end of the story. What has been presented to us today is the agreed outcome of negotiations on the all-Ireland aspect of the Belfast Agreement. The fact that the UUP leadership capitulated to the Nationalist demand for an Executive representing 10 Departments also means that the Nationalist input into the all-Ireland dimension of the agreement will be maximised.

The purpose of the North/South Ministerial Council and the associated all-Ireland implementation body is not to provide for mutually beneficial, pragmatic co-operation between Northern Ireland and the Republic. The real political rationale of the all-Ireland dimension of the agreement is to give expression to what the Deputy First Minister (Designate) constantly refers to as “the Nationalist sense of identity”.

This Nationalist sense of identity, in political terms, is determined by a commitment to the political unification of the island of Ireland. This means that if the North-South Ministerial Council and the associated all-Ireland implementation body are to give authentic expression to what the Deputy First Minister (Designate) understands by the Nationalist sense of identity, these institutions must act as mechanisms to bring about the conditions of an all-Ireland state.

*12.15 pm*

The report presented to the Assembly is the negotiated detail of these all-Ireland mechanisms. The key feature of the report is that there is an all-Ireland dimension attached to each Ministerial portfolio in the Executive. This means that the report has firmly established the institutional arrangements required to develop the all-Ireland aspect of the policy of each of the 10 Ministerial portfolios. This is reinforced by the Belfast Agreement which states that each Minister can take decisions in the North/South Ministerial Council within his or her defined area of authority without the approval of the Assembly.

**Mr Birnie:** Will the Member give way?

**Mr Roche:** No, I will not give way.

This means that the Assembly has virtually no effective control over the decisions of Ministers in the North/South Ministerial Council, which is the core mechanism to bring about the political and administrative structures to which the Deputy First Minister (Designate) refers as Irish unity. The combination of the detail of the report together with the inter-governmental conference means that the Republic would have de facto joint authority over Northern Ireland in the event of this report being approved by the Assembly.



No Unionist could possibly accept the content of the report by the First Minister (Designate) and the Deputy First Minister (Designate) because the report demonstrates clearly that the UUP leadership has negotiated the detail of the Belfast Agreement in a manner that strengthens both the armalite and the ballot-box dimensions of Sinn Féin/IRA strategy. At the same time, the UUP leadership has agreed to the detail of the all-Ireland institutions to which Nationalists are committed as a mechanism to bring about what they call Irish unity.

The rejection of this report by those authentically committed to the Union cannot be delayed. The report to be submitted to the Assembly on 15 February will differ from this report only with respect to incidental detail. This means that the vote on this report is the substantive vote which will determine the future of the Union.

This is one of the most important days in the history of Northern Ireland. Unionists are now being presented with perhaps the last opportunity to stop an appeasement of terrorism directed towards the destruction of the Union, and there is therefore only one course of action available to those who are committed to the Union — rejection of the report.

**Mr Ervine:** Things were funny earlier on, yet when the Leader of Sinn Féin was speaking, everything became much more grave. There was silence from the DUP benches. A degree of credibility was afforded to Mr Adams that people outside would wish to know about. I wonder if the media are prepared to report it. There have been a number of things that the media have been prepared to ignore or to slant.

December 18 was hailed as a great day — a day when the SDLP and the Ulster Unionists created a wonderful agreement. They did it in the early hours of the morning, and they did it on what, we are told, was another wonderful Friday. Then, last Friday, the media described it — *[Interruption]*

Will the Member shut up? I expect the same consideration that was given to the leader of Sinn Féin.

**The Initial Presiding Officer:** It would be helpful if we were to show some courtesy towards those who are listening and those who are speaking.

**Mr Ervine:** The media said that that was a day when compromise broke out at Stormont — what a joke. In October, the Progressive Unionist Party flagged up difficulties with the agreement and with trying to implement all of its facets. Some laughed at us, and some took great succour and comfort from the fact that, for the first time, the Progressive Unionist Party was being negative about the agreement. Mr Taylor's assertion that there is a 50% chance of success is, I believe, irrationally optimistic, and that brings me to

those who will have fun and enjoyment out of hearing me say how it will be.

This agreement is going down. It is going down because of the macho men on both sides who did not look for opportunities for choreography, who simply pandered to their own constituencies, who made it difficult for each other.

I hear people suggesting that the pro-agreement campaigners should stick together. They must be joking. The reality is that the macho men, demanding something which they know they cannot have and then getting upset when they cannot have it, have created circumstances wherein the other macho men have severely damaged the integrity of those in the Unionist community who advocated the Good Friday Agreement.

They did so by saying "Do you not know who we are? Do you not realise that the last time anybody asked us the irrational question about decommissioning a bomb went off at Canary Wharf?" Do they not realise the damage that does? Do they have any concept of how it looks when, at Christmas, people doing a bit of shopping find there is a horde of what look like Iranian fundamentalists running about Castle Court because we are trying to stop normal crime? They have no concept of the damage that that does, no concept of the fear that that sends into a Unionist community who, as Members well know, have their detractors, their deriders and also those, whom Mr McGrady easily identified, who are offering no alternative.

What if I am right — and I wish I were not—

**Mr Morrow:** You are never wrong.

**Mr Ervine:** It would be awful if I were right this time. Your twenty-nine-and-a-half grand would go down the tubes. Your swanning about here as if it were a country club would go down the tubes.

The people of Northern Ireland, whether they liked the agreement or not, certainly liked the idea of the absence of violence. They liked the idea of having the opportunity for their children to be born and reared in an atmosphere different to the one in which they suffered.

I accept that it is not perfect, but I also accept what some Members will probably never accept, that in order to manoeuvre a society there has to be a process. That provides the opportunity to see the potential for the future and to flush out what people perceive are the lies on the other side. We built a process that some entered begrudgingly, and that others cannot wait to get out of. Against all the odds, people built an agreement, but tragically, from day one, some have taken an à la carte approach to it.

Talk about the “Yes”-campaigners sticking together, I remember going to Omagh with the Women’s Coalition and finding that the Ulster Unionists had been there before us, probably because they did not want to be seen on a platform with other “Yes” advocates. That was ridiculous; it came close to being sensible when Bono got involved. There was no real campaign other than the gutter campaign, other than the one in which people had had a long time to stand outside Stormont sharpening the knives and waiting for those who had created the agreement to come out so they could stab them in the back. That is the reality of the situation. Sold out.

It has been suggested that Loyalists should decommission. I would love to see the day when that could be done, when I could advocate that and stay alive. But the reality is that we have been sold out. We are being betrayed by David Trimble, we have been betrayed by Tony Blair, we are being betrayed by all and sundry. Please go to a working-class Loyalist area and tell them that they have been sold out, but that they should hand their guns in.

**The Deputy First Minister (Designate):** Will the Member identify for the record any way or ways in which I have sold out Loyalism, Unionism, Nationalism or anyone else?

**Mr Ervine:** In mentioning the theory of sell-out, I was paraphrasing others who said that some have sold out. Rather than bolstering your credibility, Seamus, which I believe is intact, I think I had better challenge the credibility of some of those in the Chamber.

I think that Mr Paisley said that those who support this report “will pay”. I wonder what he meant by that? I could guess, and I could interpret it as an implicit threat. It may merely mean that I will not be re-elected. Those who put themselves in front of the electorate run that risk. The phrase was left hanging. Perhaps it is a bit like “Ulster will fight and Ulster will be right.” Is it the old pathetic nonsense that did not scare anybody then and has no chance of scaring me now? I would like clarification because Hansard will show that those of us who support the report “will pay”. Will pay what? Members spoke about punishment beatings. People come here and laugh and guffaw. It is all a great wheeze, and then someone mentions punishment beatings.

I wish I believed that everyone really cared about the 16-year-old boy on the Falls Road who has had his legs broken. We know that there is sectarianism. It is said that if we can get the IRA’s guns, it will not matter about the Loyalist guns. I have been there, Bob, I have seen it. I have been there when the ambivalence of Unionism has shone through. You know what they used to say. *[Interruption]*

**The Initial Presiding Officer:** Order. There should not be conversations between Members across the Chamber. Debate should be through the Chair, not to dignify the Chair, but to make sure that there is no indignity in the Chamber.

**Mr Ervine:** You are finding out my weakness, Mr Initial Presiding Officer. Mr McCartney has obviously not had many conversations, and I was doing my best to give him one.

Contrary to my previous comments in the Assembly, I hope that the media will report on at least some of what I have said, because it is different from what other people are saying. It is about telling people out there the truth. Unless people get their act together, we are going down the tubes.

The sitting was suspended at 12.28 pm and resumed at 2.00 pm.

**Prof McWilliams:** I am not sure to whom I should address my remarks because, as a pragmatist, and having worked with pro-agreement and anti-agreement parties for months, I believed that we could make the Agreement work. Mr McCrea said that we have to take on board and respect the views of minorities, and that is so. In any democracy, there will be those who will vote for a treaty and those who will vote against it. But for the first time since the referendum I have become extremely concerned about the direction in which we are going. I know that this admission will lend ammunition to those who are anti-agreement — although I hope that it will not be interpreted in such a way — but we have reached a crisis point.

Where are we going if we do not set up an Executive on 15 February? Have we invested all this time, work and commitment, together with receiving the will of the people, only to say that we, the politicians, cannot agree and are not prepared to govern and lead? That is a dire message to be sending at the beginning of a new year.

This morning’s debate has told me that we are still strangers to one another, and that we do not understand one another’s cultures. The Deputy First Minister (Designate) drew our attention to recent BBC television programmes which I understand reflected the great deal of hurt and pain that has been inflicted on one community by the other. Other programmes have shown the reciprocal pain and hurt felt by the Nationalist community.

We did not have a shared agreement on what constituted the problem, but we still had to resolve it through negotiation. Were agreement to be reached, none of us could achieve all that we wanted, and this agreement had to include ex-combatants. Others call them terrorists, but the word “terror” is ideologically loaded, and that is exactly what we are trying to do to each other now — we are trying to terrorise people into

saying that this will not work. I am not prepared to do that. Václav Havel believed that politics was the art of the possible. I believe that we can make that determination the art of the possible.

When we voted the First Minister (Designate) and Deputy First Minister (Designate) into their positions they took a Pledge of Office, but there are others who, when they adopt the position of Ministers, will have to say that they affirm their commitment to non-violence and exclusively peaceful and democratic means and their opposition to any use or threat of force by others for any political purpose.

Some people may not believe that Ministers actually think that when they stand up and say it. I believe it because anti-agreement Members will have to swear to work to bring the new arrangements into being. If I can believe that anti-agreement Members will some day work in good faith to bring the new arrangements into being, I have to expect that that will be reciprocal, that that good faith will also lead people to believe that violence will never again be used as a way of resolving our problems. That is the only good faith I can ask of people who will take on the serious responsibility of governing Northern Ireland.

We have to stop the creation of a vacuum. We have to stop fooling the people by saying that, if we get over this hurdle, the crunch will come soon. We have been telling people that for a number of months. We have reached the crunch time. The vote will have to be taken. Vacuums do not help our community. Tensions rise and the most vulnerable in our community suffer, particularly those who live at the interfaces. However, it is with that spirit of pragmatism that I am going to make some suggestions about the report.

I am concerned about some aspects of the report, and my first concern is with the suggestion that there be a new economic policy unit — that has all the aspirations of kitchen Treasury. It is new; it may work; and I understand the political reasoning behind it. However, the European Union, the Republic of Ireland and the United Kingdom no longer have a policy unit which deals only with economic matters and financial redistribution. Social development must be an integral part of economic policy, and I am concerned that the absence of social development in the economic policy unit suggested means that we are going back to the old ways of doing things.

Secondly, I am concerned that victims are not mentioned in the report — the one group of people which has been used most for political purposes, batted like a ball from one side of the court to the other. There is no mention in the report of where the Victims Liaison Unit will be placed. It is ironic that, while the unit is presently part of a Minister's portfolio, it will not be the responsibility of any Minister given the suggestions that

have been made for the new Government. If there was ever a group of people who deserved facilities and resources that truly address their suffering, pain and needs, it is the victims. They deserve to have their unit included, and that should be a priority. Should the Assembly decide to include junior Ministers, surely responsibility for this is a job for such a Minister.

Thirdly, I am concerned that the work I referred to earlier on community tensions has not been specified as part of the remit of the Department of Health, Social Services and Public Safety. That is the best Department to have responsibility for the Victims Liaison Unit. The Voluntary Activity Unit, which has done great work in community development, should be placed within the Department of Social Development. We would have had a Bosnia situation in Northern Ireland had that work not been properly resourced, and it is not being properly resourced at present.

I am confident that the Deputy First Minister (Designate) is taking this project forward. I want to have that same confidence in the First Minister (Designate). I voted to put Mr Trimble in that post, and I believe that he accepted it to lead the country. I now expect him to do that.

**Mr McCartney:** My remarks are addressed primarily to Ulster Unionist Party Members. In their hands, more than in those of any other, rests the future of the pro-Union people and their succeeding generations. Their future depends on the vote that will be taken at the end of this debate.

The Belfast Agreement, which was crafted and controlled by the British Government is, in essence, the terms of a conflict resolution between that Government and Sinn Féin/IRA. Its real purpose is to further the Government's policy of disengagement from Northern Ireland and to protect the lives and property of its first-class British citizens — those on the mainland. All other considerations were subservient to those objectives.

By that agreement, the Ulster Unionist leadership — now absent from the Chamber — accepted the release of the most infamous and villainous criminals. It agreed to the presence of representatives of violent Republicanism in government; it conceded the right of the Irish Government to have a share in the government of Northern Ireland; it consented to the reform of a criminal justice system that was specifically designed to combat terrorism; it acquiesced in the proposed reform of the RUC to placate those whom that force had lost lives to apprehend; and it allowed Sinn Féin/IRA the legal — though not the moral or democratic — right to demand the fulfilment of every concession under the agreement before any decommissioning of their weapons was required.



The motion asks for Members' approval of what is called a report, but by such approval Ulster Unionist Members will be pledging themselves, each and every one of them, to make the report's essential contents their determination on 15 February. I say that because their leader has publicly promised that to the Deputy First Minister (Designate).

What will Ulster Unionist Members achieve by approving this report? What will they gain? What will the Union gain? What will change in their favour between now and 15 February? The answer is that they will gain absolutely nothing but will lose much. Ulster Unionists will have given the Secretary of State time to put in place all the necessary machinery and arrangements for putting Sinn Fein/IRA in government, in the knowledge that on 15 February they will approve the contents of today's report. Those arrangements will be set in stone the moment Ulster Unionist Members determine what the House may approve in this debate.

On 15 February, when the Ulster Unionist Members make the determination that is now promised by their leader, the Secretary of State may set d'Hondt in motion and they will be unable to prevent Sinn Fein from taking their Ministries. The Ulster Unionist leader may say that the Secretary of State can do that anyway. That may be true, but imposition is very different from consent. Undemocratic imposition may be opposed, but that to which Ulster Unionist Members give consent on behalf of the pro-Union people is gone for ever.

An approval of this report, endorsed by a majority of Unionists, will give the green light to the Secretary of State to proceed in the knowledge that on 15 February the Ulster Unionist Members will consent to the determination.

*2.15 pm*

In voting on this report, Members are making a determination, though it may not formally come into effect until 15 February. The future of the Union will be placed in the hands of a Secretary of State who openly supports Irish unity.

After 15 February, what can Members do when d'Hondt comes into operation and puts Sinn Fein/IRA in government? Members may refuse to participate in the Executive and may even cause the Assembly, at some future date, to dissolve. But consider what Members will already have done by then. By that time, whether Members "play" in the Executive or cause the Assembly to collapse, they will have already agreed that some institutions will remain in place.

According to the Secretary of State's devolution document, the North/South Ministerial Council and

the cross-border implementation bodies will be enshrined in legislation and in international treaties between the Government of the Republic of Ireland and the British Government. With those bodies permanently established, will Sinn Fein or the SDLP shed any tears if the Assembly, which is designed to offer consolation to Unionists, then collapses? Refusal to take part at that time will be worth little, and it will expose Members to the blame of bringing the Assembly down.

The Ulster Unionist leadership may still be prepared to trust Mr Blair's pledges. Members may believe that Mr Blair will not operate D'Hondt or that he will not permit the Secretary of State to do so until the IRA agrees to decommission. If that is where Members place their trust, they should not hold their breath. Members should judge the worth of such promises on the basis of the fulfilment of pledges that have already been given. Before the referendum, Mr Blair promised that no prisoners would be released until decommissioning had begun. What price is a pledge? Cardinal Wolsey, at a time when princes and kings were the Government, quoted the Bible:

"Put not your trust in princes".

Today that advice is even more applicable to Prime Ministers. If Sinn Fein is placed in government without decommissioning, there will be absolutely no reason for it ever to decommission.

There is only one way in which all the pro-Union people and their Assembly representatives can fulfil our obligations and that is to refuse, now — at this time — before it is too late. Members must refuse to further this process in any way until actual and substantial decommissioning has begun and the deadline has been fixed for its completion. It must be real decommissioning — not some token or fig leaf that would allow unreasonable and unjust pressure to be put upon Members as democrats. It must ensure that a total ceasefire is maintained and must not be one that allows the continuing murder and mutilation of our fellow citizens on both sides of the community.

For me, the preservation of the Union and my right to full and equal British citizenship, and the extension of such rights and the associated benefits to every citizen, take precedence over all else. It is above personal and party interest. I believe that that view is shared by many in the Ulster Unionist Party.

I would like the pro-Union people to be able to commend the members of the Ulster Unionist Party for their courage and self-sacrifice, rather than condemn them for their weakness and self-interest.

The verdict of history and of the pro-Union people — and some Members may smile, but it is no smiling matter — and of successive generations will depend



upon how Unionist Members vote in this debate. I ask, therefore, in the name of the Union, and in the name of conscience, that those Members put self-interest and party aside, put the Union foremost and reject this report.

**Mr Watson:** The Republican movement claims that there is no requirement for decommissioning even within the two-year time span. That is unacceptable given the terms of the agreement. It is also intolerable to Unionists and to the British and Irish Governments — or so they claim. There can be no progress towards an Executive role for Sinn Féin while it maintains its “no, nothing, never” policy. The ceasefires are not nearly as comprehensive as they should be. Loyalists and Republicans indulge nightly in Fascist thuggery against their communities, and even more so since the agreement. Other indications are not encouraging for the immediate future.

Members must not be blind to the reality about the Provisional IRA. This organisation is in many respects better equipped than the Irish Defence Forces — it still has the capacity to perpetrate a thousand Omagh's and flatten every town on this island. Members are still entitled to ask “Is the war over?” These are noble words and were spoken in earnest by the First Minister (Designate) in November 1998. However, I must differ with him on several points.

Neither the Irish nor the British Government would currently find it unacceptable to have Sinn Féin/IRA in government without decommissioning. The total surrender to, and daily appeasement of, the Sinn Féin/IRA terrorists means that this whole process must result in armed terrorists being in the Executive. If that does not happen, the Governments fear that they will return to doing what they do best — killing and bombing.

Currently, the difference between the so-called peace and the ongoing conflict can be measured in centimetres. The “peace” involves almost unthinkable mutilations of human limbs. The distance in centimetres from the limbs to the abdomen, where the same wounds would prove fatal, is the distance between life and death, the human measure between ceasefire and war. Already this year 16 people have been seriously wounded — the warning signs are there for all to see. It is correct to say that there is no linkage between decommissioning and seats in the Executive. That is because of the poor negotiating skills of the Unionist team, whose performance and attendance enabled Sinn Féin/IRA to gain credibility on the world stage.

To negotiate on any occasion with armed terrorists is to be involved in a blackmail process, and this is exactly what happened. There is much talk about mandates, but truth, principle and morality come before any mandate.

Adolf Hitler, after many years of intimidating his political and religious opponents, received a mandate. The result was the Second World War. Col Gaddafi has an overwhelming mandate from his people, yet atrocities like Lockerbie take place, and he arms terrorists across the world. Even Saddam Hussein has a mandate, but his treatment of the Kurdish people in northern Iraq and the genocide of the Marsh Arabs in southern Iran has to be condemned as inhuman.

Mandate or not, no right-thinking person could in any circumstances permit a group such as Sinn Féin/IRA into government while murder and mutilation continue daily.

These are the people responsible for some of the worst human rights atrocities of the twentieth century. One thinks of Patsy Gillespie, a human bomb tied into a lorry and sent to his death at a checkpoint in Londonderry. One thinks of the sectarian slaughter of 10 Protestant workmen at Kingsmills, of the Orangemen in Tullyvallen, of Enniskillen and Teebane — one could go on and on. This country is now on the verge of seeing these very people — Sinn Féin/IRA — in the Government of Northern Ireland. Members are on the brink of setting up cross-border bodies with executive powers.

This proposal by the First Minister (Designate) and his friends, seeking the approval of the Assembly, and specifically of the Members from his own party, must be considered very carefully. I think back to December 1995 when Mr Trimble, replying to an invitation to talks from Mr Spring, said

“We are not prepared to negotiate the internal affairs of Northern Ireland with a foreign Government.”

How times have changed. We think back to Mr Trimble chiding Mr Mayhew in October 1995 on the subject of decommissioning:

“I must warn Sir Patrick to stick to his guns and his promise on this issue. We are not going to be party to a fudge”.

If the situation were not so critical it would be farcical. The inability of Mr Trimble, the First Minister (Designate), and his negotiators to put down a marker once and for all on decommissioning has to be recognised.

This lack of commitment to draw a line in the sand and say “Enough is enough” is the problem today. The pollution of democracy with the presence of armed terrorists on the verge of entering government is simply because Mr Trimble has failed from 1995 to 1999 to exclude armed Sinn Féin/IRA from his table.

Indeed, it was highly significant that on the day when the Ulster Unionist Party held a disciplinary meeting in respect of three other members and myself, Mr Trimble met Mr Adams in private, the first of five

meetings to date, thus paving the way for Sinn Féin's entry into government. This is evident to all of us in the Unionist family who see this blackmail process for what it is.

Mr Trimble's repeated assertion that there is life after politics indicates that his long-term intention is to cut a deal allowing Sinn Féin/IRA into government and move on, leaving his fellow Unionists to carry the can.

If the vote to approve this report is of no real significance, then it is much better to be safe than sorry. To reject this report in itself lets the Governments and Sinn Féin/IRA see that, finally, a marker has been laid down. Without the actual handing over of weapons, terrorists are unacceptable in governments and their nightly mutilations are unacceptable in any civilised society.

The problem with this whole process is that, sooner rather than later, we are going to face the crisis. This process is laid on a foundation of murder, bombings and terror. In reality it is built on sand, with dire consequences for us all in the future.

Until the shadow of the gun is removed from all aspects of society and true, lasting peace realised, we are beholden to the gunman. This is the dilemma that we all face. There have been many changes in Northern Ireland in recent years, some for good, but sadly some for bad, and attitudes never change.

In October 1997 Mr Trimble told his party faithful

"the key reason for staying in these talks is that nothing can come out of them without our consent. This veto means that everything must pass through the Ulster Unionist Party talks team before it goes to the people."

One must now reflect on the words and see directly where the blame for the following achievements lies.

First, the prisoner releases scheme is an issue that has caused much pain and agony for many people, in particular the families of those who have lost loved ones during the past 30 years of terror. Watching the gloating triumphalism of many of the Republican prisoners has reopened the wounds of many pained people all over this Province.

The virtual amnesty for all the perpetrators of murder beggars belief. As a result of this agreement, victims' families, who have waited and listened, some for over 20 years, to promise after promise that no stone would be left unturned to find their killers and that there would be no hiding place for the murderers, are now trying to come to terms with the fact that these promises were nothing more than empty gestures. Their faith in British justice is lost for ever.

The destruction and demoralisation of the RUC is another dividend of the agreement. No doubt the root-and-branch change here will greatly help the terrorists

in a renewed campaign — another victory for the Unionist negotiators.

The impending dismissal of prison officers and the pushing through of a controversial redundancy package is again linked to the agreement.

Stand-alone cross-border bodies with executive powers — of all the items in the agreement, this particular issue lays bare all the false claims that the current Unionist Party leadership would not negotiate on our sovereignty. This is exactly what they have done with the removal of the Government of Ireland Act.

Today, though, is not a day for recriminations; it is a day for every Ulsterman to take stock of what is being asked of him. We believe that approval of this report today will leave the door open for the Secretary of State to kick-start the shadow Executive and then the full Executive at her own discretion. In my constituency, Upper Bann, there has never been any semblance of normality or ceasefire. The bombing of Portadown, Banbridge and nearby Moira has blasted people's hopes yet again. The lingering sore of 16 unresolved IRA murders since 1984 continues to fester and cause bitter resentment.

2.30 pm

The orchestration of a form of religious intolerance which cannot permit a church parade to continue along an arterial route back into Portadown, in order to blackmail the Government into spending millions to solve the problem, has poisoned community relations.

Even the decision to switch the Portadown-Cliftonville football match to Belfast and the banning of Portadown supporters from attending it stinks to high heaven. One wonders how many GAA fixtures have been changed, or fans barred, due to RUC advice. This is the real situation in Northern Ireland in 1999.

And so, we come to approve this report. It is too late to lock the stable door once the horse has bolted. It is too late for Mr Taylor and Mr Maginnis to complain about prisoner releases, after approving and supporting them. The honourable thing for them to do would be to admit that they helped to secure these releases, that they made a mistake and have got nothing in return.

**Mr McGimpsey:** I support this report.

I have listened to Mr Watson and to others. We know roughly where we are, and the report tells us where we are going, but let us remind ourselves where we have come from.

The vexed constitutional question is "Who owns Northern Ireland?" Does it belong to Britain or does it belong to a united Ireland? The agreement solves this problem because it says that it is the people of Northern

Ireland who own it. It is only they who can determine its constitutional future and that is the building block from which we are all starting. It is the people who will determine their own future.

Northern Ireland is a part of the United Kingdom because the people of Northern Ireland so determine. If Northern Ireland were to join a united Ireland, it would be only the people of Northern Ireland who could determine that. As Nationalists might say "If you want to unite Ireland, first unite the people", whereas a Unionist might say "If you want to secure the Union, unite the people of Northern Ireland". In this regard, the self-interests of Unionism and Nationalism coincide.

We have had 30 years of conflict, and Mr Watson has referred to a number of atrocities. We all know about them, but we cannot go back and change them. However, we can try to change the future so that we do not have to go through another 30 years of conflict. That is what the agreement is about and this is the working out of that agreement.

Together, the Ulster Unionist Party and the SDLP have driven the process forward and have taken us towards "Devolution Day" on 10 March. This will be determined by a legislative device — a meeting of the Privy Council. We will reach that date, and at that point the UUP will have fulfilled all of its obligations under the agreement, as will the SDLP. There are, of course, other obligations which need to be fulfilled and we can talk about them.

It is important for Unionism to reflect that, under this agreement, self-determination for Northern Ireland, and as a consequence of that the repeal of articles 2 and 3, will be a big issue for the Dublin Government and the citizens of the Irish Republic. Not only will they have repealed articles 2 and 3, but any future creation of a united Ireland will require a referendum in the Irish Republic. Anybody who knows anything about the Irish Republic will know that the armed struggle over the years has been massively counter-productive to the point that today citizens of the Irish Republic would not take Northern Ireland as a gift.

Unionism and the Union are secure because their future will rest with the people of Northern Ireland, and we are their representatives.

We can then move on from that point to ask how will we share Northern Ireland — how will we get on? The agreement looks towards there being a partnership of Unionist, Nationalist, Loyalist and Republican, working together for the greatest good of all, and that is the aim of this report.

I commend the SDLP, which has worked with us, has fought its corner, and has argued its point of view, but it has always been for the greater good of the people of Northern Ireland. That is our aim also, and that is why

this report is important, and it is why we need to take it forward.

Unionism and Nationalism have both made gains. Do we want a united Ireland? Only people of Northern Ireland can deliver that. In so far as this generation is concerned, and in so far as anyone can see into the future, I do not see that happening. I do not foresee the people of Northern Ireland making that decision — but ultimately that is a matter for them.

We will go through this process today, meet again on 15 February to discuss it further and then march forward together to 10 March. That is the point at which devolution can happen, the point when Northern Ireland's political representatives begin to govern its people in a partnership, inclusive of everyone, as long as everyone meets his obligations.

The Republican movement has made gains, and a number of those have been referred to: power-sharing; full partnership; the equality agenda; the criminal justice review; the Patten Commission; prisoner releases; North-South implementation bodies; North/South areas of co-operation; and a North/South Ministerial Council.

The Provisional movement has its clear obligation under the agreement. As David Trimble outlined earlier, there are a number of references to that in the agreement. All of this was thought about, though I can understand the confusion among those who were not part of the talks. The Declaration of Support, the Pledge of Office, clause 25 of strand one, the transitional arrangements and the chapter on decommissioning all make this point clear. This is a reasonable demand. With all the weaponry out there — and bearing in mind that when Sinn Féin signed up to the agreement it signed up to total decommissioning by May 2000, and we are well into that period — we as Unionists need to know the start date, and we need to see the process start.

If that process does not begin, then, unfortunately, there will be consequences. I will not go into the detail of what they might be, but it would then be impossible for us to move forward. That might be Sinn Féin's objective, but that would be inconsistent with what that party has signed up to in the agreement, which is an acceptance that the people of the island of Ireland are not a nation in a political sense and that, therefore, they have no right to territorial unity and to national self-government. I understand that that has been difficult for Sinn Féin. After 10 March, with this final step taken, we can move forward with Sinn Féin. If that step is not taken, there are other avenues of approach.

**Mr McCartney:** What are they?



**Mr McGimpsey:** Wait until March 10 and we can talk about them then. We can talk about them on 18 February.

It is absolutely immoral to hold on to vast quantities of Semtex. We also know that if the guns are out there, they are used. It was the Provisionals' Semtex that was used in Omagh. The Provisionals bought the detonators used in Omagh in Arizona in 1989. If Semtex is out there, it will fall into refusenik hands, and the same will happen with the guns. They must be destroyed. That is what the people voted for.

Denis Watson talked about people having mandates. Gaddafi has a mandate and Hitler had one too. This agreement has the overwhelming mandate of the people of Northern Ireland, with almost 72% voting for it in a very high poll.

**Mr McCartney:** Conned.

**Mr McGimpsey:** When Mr McCartney alleges that the people of Northern Ireland were conned, he implies that they are stupid. The people are not stupid; they understand the way forward on this. In terms of a Nationalist or Republican agenda, the people of the island of Ireland voted overwhelmingly in favour of the agreement. We want to implement this in partnership because that offers the best way forward, and that can happen if everyone meets his obligations. We and the SDLP have met ours. The Provisional movement must now meet its obligations. We know the end date for decommissioning, but we must know the start date and we must see it started.

**Mr Farren:** Mr Presiding Officer, I welcome and support the approval of the report of the First Minister (Designate) and Deputy First Minister (Designate), a report presented we might note with some interest, on the day which celebrates the memory of the great human rights leader Martin Luther King, a man whose work has been an inspiration to my party and human rights campaigners everywhere.

I welcome the report. At last we can see with greater clarity the form and the functions of the political institutions which the majority here have been mandated to establish by the endorsement which the Good Friday Agreement received in the joint referenda last May. We are now on a fixed and certain timetable towards the creation of those institutions with 15 February and 10 March as the next key dates. In reaching this point, the report indicates the extensive consultations which were held involving all the pro-agreement parties. There were also many informal contacts. I do not believe, therefore, that any party can, with credibility, claim that its views were not noted and taken account of, as has been suggested in this debate.

In expressing its general welcome for the arrangements proposed by the 18 December agreement,

the SDLP is pleased by a number of features. The range of responsibilities associated with departmental structures will give greater coherence to the administration. It will require intensive cross-party co-operation for its effective operation and provide opportunities for a new dynamic in the development and implementation of policies.

Two features of the 18 December agreement deserve particular comment. First, equality will be a central responsibility. Equality has been an issue of major importance to the SDLP since it was founded out of the civil rights movement. From the outset of the pre-18 December negotiations we stood by the proposition for such a provision.

Monitoring, evaluating and determining measures across the administration, in conjunction with the Ministers responsible for the various Departments, will ensure that equality principles are observed and effected throughout all areas of government. Indeed, we believe that the Assembly should assist in this task by the establishment of a special committee to scrutinise equality.

Placing this responsibility at the heart of government symbolises, in a powerfully effective way, a joint commitment by the leading Ministers of both communities to have such principles upheld throughout the administration. This puts an onus on both that, as they co-ordinate a whole programme of government, they also guarantee that it be fully informed by equality principles.

No other approach would be likely to have the same overall effect. A free-standing Department controlled by a representative of a party from only one side of the community could never be as powerfully symbolic of a new commitment to equality and justice for all, nor could it have the same potential for ensuring that this commitment is reflected across all Departments. This is as it should be, given the overriding importance of ensuring that the new Administration and the North/South Ministerial Council is guided by principles of human and civil rights.

The announcement today of the appointment of Professor Bryce Dickson to head the new Human Rights Commission marks further progress in a vital confidence-building area. We wish him and his future colleagues well as they take up their responsibilities.

With respect to the North/South arrangements, I am particularly pleased to note the strong economic-development dimension to several of the implementation bodies and areas for co-operation. I have long been of the view that a more co-ordinated North/South approach to planning economic development would be to the mutual benefit of people in both parts of Ireland.



This will be achieved most notably by implementation bodies such as those for trade and business development, special European Union programmes and aquaculture and marine matters. Economic initiatives on the part of existing bodies such as those for tourism, agriculture and transport will be of mutual benefit to both parts of Ireland — the trade and business development implementation body will be of particular significance in promoting trade between both parts of Ireland.

Public procurement programmes implemented on an all-island basis will significantly increase opportunities for northern enterprises to win a greater share of public-sector business in the South. Similarly, international trade fairs and missions will combine the strengths of businesses in both parts of the island. Research and development projects will mobilise the talents of universities and research institutes on an all-island basis to address problems of common concern.

All of this should significantly contribute to the process of attracting more inward investment to both parts of the island — particularly to the North.

Finally, I wish to return to the political process. Since Good Friday, the whole process has been a test of our respective capacities to meet the requirements of that historic agreement. The difficulties that have arisen are not uncommon in other contexts where conflicting parties have agreed to engage in a joint healing process. We have encountered delays and difficulties which have, not surprisingly, been attributed to the alleged bad faith of one party or the other, either to their reluctance to work the new arrangements, or to a real desire to frustrate the implementation of these arrangements.

Our historically deep-rooted suspicions, our pain and our suffering continue to feed our perceptions and judgements of each other and, in doing so, hold a danger of causing further delay. Alongside these impulses, which, at their worst, could lead us back to the brink of self-destruction, we have felt other impulses encouraging us to continue, to persist in order to meet the obligations we placed upon ourselves last Good Friday — obligations to create conditions for a better society where trust and mutual confidence will gradually dissipate those age-old suspicions, fears and apprehensions.

Realistically, this can only happen when we start working together for the common good in the practical matters of government. It was such impulses that brought us through the difficulties of the weeks before Christmas to reach another agreement. The report is a further testament to those impulses.

In striking an optimistic note, I am not unaware of the roadblocks that lie ahead. But, just as we have

found ways of dealing with the difficulties since Good Friday, we must not allow our imaginations to fail us in dealing with what remains, either in terms of institution building or confidence building, as is the case with the problem posed by the commitment to promote decommissioning.

**Mr Campbell:** I wish to address the matters outlined in Mr Farren's closing remarks. In this 26-page report, there is no mention whatsoever of the dreaded D-word. The word that has haunted proceedings of this Assembly since its establishment, the word that has hung over all of our deliberations like a spectre. The First Minister (Designate) has told us that decommissioning has to begin — must begin — before an Executive can be established.

With regard to decommissioning, I have no doubt that, in the next month or two, there will be some kind of event which will be dressed up to look like a beginning to decommissioning. This will have to happen, according to the contents of the personal message from the First Minister (Designate), dated 8 January — of course, that is no guarantee; it has not counted for much in the past. His words, on the second page of that letter, were as follows:

“As your leader, I wish to assure you that Sinn Féin will not be included in the agreement that I have referred to above if Sinn Féin/IRA do not honour their commitment to decommissioning made under the Belfast Agreement”

And then, in bold letters, to make sure that we do not miss the point, we read

“If they do not, the Ulster Unionist Party will not form an Executive that includes Sinn Féin.”

Strong words. That is why some event will take place which will allow the First Minister (Designate) to say that decommissioning has begun, thus triggering the d'Hondt system, which will allow for representatives of Sinn Féin/IRA to be included in the Executive. The question of ongoing, meaningful and verifiable decommissioning must be addressed, but this document fails to do so.

The arguments about whether decommissioning should take place before or after the formation of an Executive have been well rehearsed. Everyone, except for some elements in the Ulster Unionist Party, now accepts that this is not in the agreement. Every other party in Northern Ireland, be it pro-agreement or anti-agreement, accepts that. Everyone in the Republic of Ireland accepts that. Everyone in Great Britain accepts that.

But there are elements in the Ulster Unionist Party who do not. I can understand why — pride. There is no mention of decommissioning prior to the formation of the Executive, and we are going to get some kind of fudge, first, to allow the First Minister (Designate) off

the hook so that he can try to salvage some semblance of dignity and say that a form of decommissioning has started, and, secondly, to allow two Sinn Féin/IRA Members to take their places in the Executive. Of course, this should have been in the agreement — it was not.

There has been much deliberation about the need for Nationalist support for what is to be put in place, whether that be with regard to the future of policing in Northern Ireland, or in terms of the general political situation. Indeed, we hear a great deal about the equality agenda, not least from Mr Farren and others. This is presented as almost a prerequisite for Nationalist participation. But, the one thing which has not been acknowledged by the pro-agreement parties, either in the media or in the Assembly, is the fact that over half of the Unionist population has the gravest possible reservations about what is going on.

There has been no acceptance of that fact. We have been discounted. Mr Mallon said that we have a point of view. Well, thanks very much. Either he is being patronising, or he is admitting that, not only do we have a point of view, but that we represent the majority of the Unionist community.

**The Deputy First Minister (Designate):** Will the Member give way?

**Mr Campbell:** I will give way for a ten-second intervention.

**The Deputy First Minister (Designate):** I was trying to be courteous to a point of view with which I do not agree. At least I recognise that there is another point of view. I could have approached it differently — maybe then the Member would have been satisfied.

**Mr Campbell:** The Member took more than ten seconds.

**A Member:** That shows that you should never trust the SDLP.

**Mr Campbell:** I learnt that years ago.

What would be the extent of public disquiet and debate if we had a series of fundamental developments in Northern Ireland about which over half of the Nationalist community had grave reservations? Would the media say that they were of no consequence? Would the Nationalists allow themselves to be patronised and told “We will listen to what you say, but we will carry on regardless”? The “Yes” camp admits that well over half of our community — and the figure is growing by the day — has the gravest possible reservations about what is going on. So how is that going to be addressed? What value is going to be put on that legitimate complaint?

It is nonsense to talk of Unionist sensitivities and Nationalist rights. I am sick, sore and tired of hearing that Nationalist grievances have to be addressed while we ensure that the Unionists do not get annoyed and go ballistic. The people whom I represent are angry because their rights have been trampled on. They do not get jobs allocated on the basis of merit. They have been subjected to a terror campaign for over thirty years, and what do they get? They get an agreement rammed down their throats whether they like it or not, and all the Deputy First Minister (Designate) can say is that they have a point of view.

Let us look at the issue of language. On page 25 of the report is an example of what I have been talking about. This document shows that the Irish language is all-important, as if we needed telling. According to the space given to the languages in this report, Irish is seven times more important than Ulster-Scots. We represent the majority in Northern Ireland. A tiny minority use the Irish language, some genuinely and many for political purposes. They get seven times as much coverage as Ulster-Scots. Is it any wonder our people are angry?

The anger is building in our community about an agreement which is going to be forced down our throats whether we like it or not, and the Assembly needs to be very careful and take account of the views of all our people, many of whom do not see the Assembly as representing their interests. They think we are avoiding the issue of decommissioning and trying to get two gunmen, representatives of terror and destruction, into the heart of the Government of this country that we love so well.

**Mr McLaughlin:** Go raibh maith agat a Chathaoirleach. As Mr Adams has said, Sinn Féin will be giving its political support to the December 18 agreement in spite of our reservations about some aspects of it. Our reservations are sincerely held. Other parties have also made their positions clear in regard to the conduct of the negotiations. Sinn Féin's view is that this was, in Nationalist terms, a solo run by the SDLP.

The agreement falls short of what was possible and of what Nationalists expected. In particular, we believe the opposition of the SDLP to a stand-alone equality department was a fundamental blunder.

3.00 pm

The deal on this issue leaves equality located somewhere between the First Minister (Designate) and the Deputy First Minister (Designate). It would surely be better to have a dedicated Department with a cross-party scrutiny committee to deal with the issue when it becomes a continuing bone of contention, or alternatively, is ignored or long-fingered to avoid

dissension between the First Minister (Designate) and the Deputy First Minister (Designate).

Under the deal, there is a real possibility that equality will be treated with less urgency than other issues. In that event, we will all come under justifiably severe criticism from the people who will feel short-changed yet again. The First Minister (Designate) and the Deputy First Minister (Designate) will, of course, have a crucial arbiter's role in any dispute between Departments, but on this question they cannot be independent arbiters in their own Department. Their failure to agree a motion to issue a determination on their own report adequately demonstrates this point.

On their track records, unless they are subjected to public scrutiny, neither the Unionist parties nor the British Government can be fully trusted to deliver on the equality agenda. The proposals that are before the House do not contain details of any satisfactory scrutiny mechanism. I welcome the comment by Sean Farren that there will be a scrutiny committee on equality. I would welcome an indication by the next speaker on behalf of the Unionist Party that it has also agreed to accept that. It would certainly be reassuring to know that we all have a role in satisfying expectations on the equality agenda.

David Trimble and Denis Watson spoke about intimidation and punishment beatings and gave examples. One of the most perplexing issues arising from the equality agenda is that, on the Garvaghy Road, which is in the constituency of both David Trimble and Denis Watson, there are nightly punishment beatings and intimidation. Those who are inextricably linked to the Orange Order and those who are organising the Garvaghy Road protest, which has been going on for more than 200 days and which has a history of some years, should use their influence to bring the protest to an end.

David Trimble's attitude to the rights of those who voted for Sinn Féin, and his attitude to the provisions of the agreement do not give much cause for optimism that equality will be promoted with vigour. Discriminatory practices have distorted the political landscape in the North, and have destroyed the lives of many generations. The Assembly should make it clear that that will no longer be tolerated. We should go further and ensure that there is no role for those who would return to the bad old practice of Unionist domination and the denial of rights.

The Good Friday Agreement sets out new and radical guidelines for public bodies for a range of under-represented sections of society. The relationship of those bodies to the public will be very different to that which such bodies had in the past. New Departments with new Ministers will need a great deal

of help, advice and encouragement in that respect if we are to set out proper work practices from the outset.

Equality and the eradication of discrimination are central to the building of a stable and cohesive society. There can be no lasting political settlement that is not built on a solid foundation of equality which is a fundamental, democratic right and must be delivered. The most effective manner of ensuring that would have been through the creation of a stand-alone, dedicated Department of Equality, subject to examination by a cross-party committee.

The Good Friday Agreement was heralded as the beginning of the end of our shared history of misery, conflict, violence and grief. Throughout the island, the people, by an overwhelming majority, have welcomed and supported the political accommodations — yes, and the compromises — that were so painstakingly negotiated over so many months. The key concept is equality. The brave new beginning that the people of Ireland voted for, the democratic society that we are attempting to create, can only be built on the most solid foundations of equality.

Some Members have referred to the remarks made by Mr Taylor last night. We have been entertained in the past by Mr Percentage. Mr Taylor is a fascinating politician, as he changes his position depending on the political wind. He has been framing percentages for a considerable time, just like his leader and previous leaders.

But Mr Taylor, in some of his remarks — though not all of them — over past months, and Sir Reg Empey and Mr McGimpsey today have suggested that when they say that people must change they are referring to all and not just to their political opponents. They are talking about those in their political constituencies, and I want to acknowledge that we have heard those comments and pay attention to them. Our task is to ensure that they reject the propositions of those who would tear up the Good Friday Agreement.

Sir Reg Empey in his argument about change made points with which I agree. Those who are pro-agreement must show leadership. Eighty-five percent of the electorate in this country voted in the referendum to support the Good Friday Agreement, and Sinn Féin will be playing its part in the coalition Government that will be established as a result. I welcome the fact that 80% of the Executive Cabinet will be from parties who are pro-agreement. I like those odds, and our people like them.

Catholics, Protestants, the centre, Unionists, Nationalists and Republicans are saying "Reject the rejectionists. There has been enough of majority rule and exclusion." They want an inclusive, power-sharing agreement to build a new future for our people and they



are sending a message to those in the “no” camp that their day has gone. There is a new reality and political dispensation which we can all be part of because there are no locked doors anymore. The majority of the people have spoken and given a mandate to most of the parties in the Assembly. We will deliver on that mandate. Go raibh maith agat.

**Mr Nesbitt:** I find it interesting to listen when the DUP is attacking my party. The half-truths of its leadership are disconcerting and do not convey the true message to the electorate. Regarding the North/South Ministerial Council, Dr Paisley said “All anyone would have to do is make an oral statement to the Assembly.”

Mr Roche said that the North/South Council will have no effective control by the Assembly. I wish they would consult the Northern Ireland Act 1998. They refer to only one section of that Act: subsection 6 of section 52. They omit completely subsection 3, which states that no decision in the North/South Ministerial Council can be taken unless it is

“in accordance with any decisions of the Assembly or the Executive Committee”.

There can be no stronger linkage between one body and another than “act in accordance with”. The North/South Ministerial Council is not only accountable to the Assembly but it also derives its authority from the Assembly. That is abundantly clear.

Mr McCartney was lecturing the Ulster Unionist Party earlier. He always implies that he is a man with absolute logic in his thinking. In fact, he wonders if there is anyone as logical as himself. He referred to his warning to the Ulster Unionist Party that, while the Assembly could be brought down, the North/South Ministerial Council would be enshrined in law. The threat there, according to Mr McCartney, is that it would continue even if the Executive fell by the wayside.

The North/South Ministerial Council will comprise Ministers or junior Ministers. They will only be able to take decisions based on the Assembly and the Executive. If there is no Executive and no Assembly, there will not be any Ministers to take such decisions or to be accountable. There is to be an inextricable linkage between the North/South Ministerial Council and the Assembly. Mr McCartney’s logic has to be seen to be believed.

Knowing the forensic mind of Mr McCartney, I am sure he will examine every word I have said today. When Mr McCartney is not in the Chamber, neither is his party, for they are one and the same. He said earlier that decommissioning must take place. I put it to him again for the fourth time, and I am still awaiting his reply, that he alone among the Unionist family has made it very clear that he will accept those with

paramilitary links into Government without decommissioning. I refer to paragraph 4 of his article which appeared in the Belfast Telegraph on 1 May 1998, and I ask Mr McCartney to deny the validity of what I say: he alone as a Unionist Leader would accept Sinn Fein in Government without decommissioning.

Mr Farren and Sinn Fein have referred to the issues of rights and equality. Mr Adams referred to equal numbers of Unionists and Nationalists in the Executive. Equality does not necessarily mean equity and fairness. Sinn Fein says that it has a right to be in the Executive because of its mandate from the people. No right is absolute; no right is unconditional. The most sacred right of all, the right to life, is not unconditional. It is accepted under international law that the due process of law can carry forward and execute, or take life, in defence of civic society. No right is absolute. Every right is conditional.

The Ulster Unionist Party is not opposed to the presence of Sinn Fein in Government provided that it subscribes to the conditions which give it the right to participate in Government.

*3.15 pm*

When he was interviewed on the radio this morning Sean Farren referred to Prof Bryce Dickson, and Barry Cowan asked Mr Farren if there was inequality in Northern Ireland and if there was a need for a rights commission. Mr Farren said that we, like any other community, should abide by international standards or rights.

I listen to the Sinn Fein perspective and try to understand when they say that in Northern Ireland there is a group — smaller than the Unionist group — that wishes to preserve its culture, its language, its education and all of those aspects that define it as a group. The Council of Europe defines such a group as those who wish to preserve that which gives them cohesiveness.

The Council of Europe has produced the most effective and, indeed, the only legally binding rights agreement in international law. Based on that agreement, I ask Sinn Fein what are they being denied? The Council of Europe talks about effective equality — social, political, cultural and economic — and I contend that this is not denied in Northern Ireland.

Article 11 of the Council of Europe’s charter allows one to use one’s own name in one’s own language, to display signs in one’s own language, to be educated in one’s culture and history — and adequate opportunities for teacher training in that culture should be provided — to allow one to set up and manage private educational and training institutions, to learn one’s own language and create conditions for effective



participation in cultural, social, economic and public life.

Ulster Unionists want such conditions and we believe that we have such conditions. Indeed, we believe there is a case for a scrutiny committee to deal with this aspect of rights and equality. That will need to be looked at very carefully by Members over the next month. As my Colleagues have said, the opportunity is there to be taken by all those who wish to do so. But those who wish to participate in government must be committed to peace.

**Mr Gallagher:** I support the motion and its commitment to 10 March as the date for devolution.

This is a comprehensive report and an important step in the implementation of the will of the people as demonstrated by their support for the agreement. Reference to equality has been made, and Members are aware how weighty, potent and powerful an issue that is — one of fundamental importance to the development of trust and confidence in the community.

The issue of equality can best be dealt with through the offices of the First Minister (Designate) and the Deputy First Minister (Designate). This does not represent any diminution in transparency, openness or effectiveness. It is sensible and logical to have the issue of equality dealt with centrally.

Any of the 10 members of the Executive can bring equality issues from their own Departments, or from any other Departments, to meetings of the Executive.

This report allows for a comprehensive equality agenda. Concerns with equality issues can be raised with departmental Committees and, subsequently, with the Assembly as well. I remind those who have criticisms about the arrangements in the report to keep in mind the role and scope of the Equality Commission under the Act. Members should be aware of its capacity to act and oversee the work across all Departments.

Concerns have been expressed about a central economic policy unit. Paragraph 3.7 states that both Ministers will have to tackle the social, economic and cultural neglect in this community. This together with the accompanying commitment to tackle the inequalities and inconsistencies that exist in education, health, economic development and in other key areas will be well received by everyone.

The date set for the Assembly to begin work on the allocation of ministerial offices, on the setting up of North/South bodies and the British-Irish Council and on detailed arrangements for the Civic Forum is 15 February. All these are important elements of the agreement which we who stand by the agreement are commissioned to deliver. The agreement was endorsed by a clear majority of the electorate, and we must

remind ourselves of that, regardless of some Members' interpretations. Members who support the agreement are commissioned to put this in place, and those who hold back now will be acting against the clearly expressed wishes of the people and will be seen as trying to subvert the will of the people.

If the report is passed, and if on 15 February a determination on the structures for building an inclusive society is reached, the Assembly will have fulfilled its obligations. The public will have little time or tolerance for those who insist on delaying or blocking progress thereafter.

On the one hand, there can be no sustainable argument against delaying the start of decommissioning by paramilitaries on both sides, and, on the other, Unionists will no longer be able to mount any sustainable arguments for holding back on the full implementation of the agreement.

The overwhelming view of ordinary people is that this opportunity is one which we must take to build a new future based on peace and justice. It is an opportunity that must not be missed.

**Mr Carrick:** I can assure the House that the DUP is not engaged in any choreography. It takes this issue seriously and seeks to represent its electorate honestly, openly and with transparency. It does not engage in half-truths. The report has its roots in the Belfast Agreement, an agreement which is repugnant to many Unionists — 50% of the Unionist family rejected it in the referendum. As my Colleague Gregory Campbell has indicated, that is a significant section of the community whose wishes cannot be set aside or treated lightly. The electorate was faithfully warned by the DUP of the ramifications of endorsing the agreement and today we are confronted by the fruit of the seeds sown in the negotiations.

In spite of the attempts of some Unionists to justify their treacherous actions, the price to be paid for a local, accountable Assembly at Stormont will prove to be a ransom, irretrievably linked to machinery designed to envelop Northern Ireland in an all-Ireland ethos and, eventually, in a unitary state. Given the trend of events, it seems that the pledges given by the Prime Minister, the promises given by the First Minister (Designate) and the other pious platitudes given by the supporters of the First Minister (Designate) are meaningless and worthless.

Although the report is not the determination sought by Irish Nationalists and Republicans, it is a delayed-action mechanism to forestall the inevitable. Whether today or on 15 February, the reality is — and the electorate of Northern Ireland must be aware of this — that democracy will be polluted and that Irish Republicans, inextricably linked to terrorism, will be

admitted into the Executive. Unrepentant terrorist representatives will enter Government with their war machine not dismantled and their murderous weapons not decommissioned in a direct contravention of the agreement that they signed. On page 9, section 35, under "Transitional Arrangements", says

"In this transitional period, those members of the Assembly serving as shadow Ministers shall affirm their commitment to non-violence and exclusively peaceful and democratic means" —

and this is important —

"and their opposition to any use or threat of force by others for any political purpose."

Has Sinn Féin/IRA demonstrated that it intends only to follow the purely democratic process?

There is no reference to decommissioning in this report, and the absence of such a fundamental tenet indicates the report's weakness. Many Unionists in the constituencies are watching anxiously to see how their public representatives view the report. It is known that some Ulster Unionist Assembly Members are unhappy and uncomfortable with it and that some have expressed their outright opposition to it. This debate affords fellow Unionists the opportunity to declare their positions clearly and without equivocation.

I have no doubt about the detrimental effect that adopting this report will have on the Unionist ethos, not to mention the political Union. There is also no doubt in the minds of many of the misguided Unionists who were prepared to give the Belfast Agreement a chance that they did not vote for an agenda which included unrepentant terrorists or their representatives in Government or for the creation of all-Ireland bodies to take executive decisions. Neither did they support the agreement to see the corruption of democracy that comes from permitting Sinn Féin/IRA to retain their terrorist capacity.

3.30 pm

There can be no prospect of stable government, or the galvanising of popular support for government, while the democratic, political climate is affected by the presence of unrepentant terrorists in government. There can be no credibility while the capacity exists for a return to terrorism by those pretending to work the democratic process.

Not only is this report flawed by its dubious foundation in the Belfast Agreement, but it also fails to address, in a comprehensive manner, the issues tasked to the First Minister (Designate) and the Deputy First Minister (Designate) by the Assembly on 1 July 1998.

Despite the passage of six and a half months, notwithstanding an interim report on 14 September 1998, this report today patently fails to address a considerable number of functional

responsibilities — something which has already been admitted by the First Minister (Designate).

I wonder if the oversight had something to do with the overwhelming desire to accommodate unrepentant terrorists in the Government and to find positions for them, leaving aside these other functional areas. It would seem, according to the Deputy First Minister (Designate), that the idea was maximum inclusion. I can understand that concept, but it must not be at the expense of effective and efficient government. The objective of creating the machinery for these structures was abandoned in this case to placate Irish Nationalism and Irish Republicanism, thus creating jobs for the boys. It is anticipated that the unnecessary Departments will cost the taxpayer in the region of £90 million per year.

In terms of the efficiency of the proposed Departments I believe that the degree of fragmentation will prove to be a bureaucratic nightmare. There is overlap in the area of higher education, agriculture and rural development, and we have protection of the countryside and regional development, all falling into different bailiwicks. That will not prove to be a workable or a manageable way forward in terms of efficiency and effectiveness.

The electorate demands efficient and effective government. This is supposed to be an honourable institution, and we want it to remain an institution which cannot be contaminated by unrepentant terrorists. This institution must deliver accountable government on the basis of the normal principles of democracy. The report fails to establish the basis for the delivery of such an administration. I will be voting to reject it on the basis that it will not provide efficient government, that it does not address the essential requirement of decommissioning and that it also gives all-Ireland bodies the power to take executive decisions, thus impugning the political sovereignty and integrity of Northern Ireland.

**Mrs de Brún:** Deir Sinn Féin arís agus arís eile nach bhfeicimid Comhaontú Aoine an Chéasta mar bhun scribe, ach mar chéim thábhachtach i bpróiseis aistrithe ó choimhlint go dtí todhchaí ina mbeimis ag comhoibriú ar mhaithe lenár bpobal uile. Is sa chomhthéacs sin a mheasaimid luach na tuairisce atá romhainn inniu.

Thig leis na forais uile-Éireann feidhmniú mar inneall láidir an phróiseis athmhuintearais ar fud an oileáin seo. Ní bheadh leithéid Chomhaontú Aoine an Chéasta ann mura mbeadh an cháipéis sin suite i gcomhthéacs uile-Éireann — rud a d'aithin na tráchtairí uilig ag an am. Agus, ar ndóigh, glactar leis sa Chomhaontú go bhfuil an Chomhairle Aireachta agus agus an Tionól idirspiléach.

Tá tábhacht ar leith do náisiúinteoirí a vótáil ar son an Chomhaontaithe i gcumhacht, brí agus dinimic na Comhairle Aireachta agus na gcomhlachtaí forfheidhmithe. An ról a thíocfadh leo agus a ba chóir dóibh a imirt is é an drochthionchar de sheachtó bliain de chríochdheighilt a laghdú chomh maith le aidhmeanna, cuspóirí agus gníomhaíocht chomónta a spreagadh ar fud an oileáin i réimse leathan eacnamúil agus sóisialta.

Nuair a fuairamar an tuairisc thearc shealadach ón Chéad-Aire agus ón Leas Chéad-Aire ar 14ú Meán Fómhair seo a chuaigh thart, ba é chéad fhreagra Shinn Féin cáipéis a chur amach ina raibh moltaí do sheacht gcomhlachtaí forfheidhmithe agus seacht n-ábhair do bheartas coiteann a bheadh le forfheidhmiú ar leighligh.

Is iad na hábhair a moladh do na comhlachtaí forfheidhmithe: An Ghaeilge, Infheistiú isteach, Ardú trádála agus Forbairt comhlachtaí dúchasacha, Cláracha Aontais Eorpaigh (AE), Traenáil agus Fostaíocht, Polasaí AE do Thalmhaíocht agus do Iascaireacht (CAP agus CFP) and Turasóireacht.

Is iad na hábhair do bheartais a bheidh ag forfheidhmiú go leithligh: Oideachas, Iompar, Forbairt phobail, Sláinte, Ealaín agus Oidhreacht, Timpeallacht and Fuinneamh.

Bhí cruinnithe ag Sinn Féin le státseirbhísí de chuid Rialtas na hÉireann, leis an SDLP, le Páirtí an Chomhaontais agus le Comhcheangal na mBan, Bhíomar páirteach chomh maith i sraith cruinnithe ilpháirtí faoi stiúir an Chéad-Aire agus an LeasChéad-Aire. Phléigh uachtarán Shinn Féin moltaí s'againn leis an dá Rialtas, an Chéad-Aire agus an LeasChéad-Aire chomh maith.

Bhí an dá rialtas sásta go mbeadh ocht gcomhlachtaí forfheidhmithe ainmnithe ar dtús, agus an oíche a thug Tony Blair cuairt ar Bhéal Feirste, d'aontaigh Aontachtaithe Uladh leis sin. Tharraing siad siar as sin an lá dar gcionn.

Sa tréimhse díreach ina dhiaidh sin bhain páirtí David Trimble fad as na díospóireachtaí le go dtiocfadh leo toradh na ndíospóireachtaí a choinneáil chomh scáinteach agus ab fhéidir.

Le linn na gcaibidlí ilpháirtí a raibh Comhaontú Aoine an Chéasta mar thoradh orthu, bhí tuiscint an-láidir ann go mbeadh cúiteamh nó sólas ann do náisiúinteoirí ó thuaidh i sraith a dó agus sna hinstitiúidí uile-Éireann, de thairbhe go raibh náisiúinteoirí sásta glacadh le sraith a haon, agus leis an Tionól ach go háirithe. Ach ón chéad lá ariamh ó bunaíodh an Tionól i bhfoirm idirthréimhseach, thosaigh na hAontachtaithe a dh'iarraidh an Chomhairle Aireachta uile-Éireann a stopadh agus tábhacht agus cumhacht na gcomhlachtaí forfheidhmithe a mhaolú.

Níor ghlac Sinn Féin le moladh Páirtí Aontachtaithe Uladh go mbeadh cead acu trí chomhlacht forfheidhmithe a ainmniú nó ba léir gur iarracht é seo le brí agus tionchar na gcomhlachtaí a theorannú agus go mbeadh ar Shinn Féin, an SDLP agus Rialtas na hÉireann glacadh le trí chomhlacht a ainmniú eadrainn. Ach sin an rud a tharla ar 18ú Nollaig, le gearradh siar fiú ar shubstaint agus bhrí na trí chomhlacht sin.

Ag deireadh na gcainteanna, rinneadh socrúithe le Aontachtaithe Uladh, socrúithe nach raibh chomh maith agus a thíocfadh leo bheith nó a ba chóir dóibh a bheith.

Rinneadh na socrúithe seo a leanas gan tacaíocht ó Shinn Féinn: infheistiú isteach a tharraingt amach as an fhoras um ardú trádála; cumhacht na gcomhlachtaí um ardú trádála agus forbairt gnó a mhaolú; suim na gcomhlachtaí a choinneáil ar an mhéid is lú a luaíodh i gComhaontú Aoine an Chéasta; agus comhlacht theoranta a chur in áit na comhlachta forfheidhmithe do thurasóireacht. Is é dearcadh s'againn go raibh na socrúithe úd diúltach neamhriachtanach.

Fiú ag an phointe seo tá David Trimble ag baint úsáide as an leithscéal go bhfuil sé níos laige ná mar atá sé i bhfírinne. Níl leid ar bith ann go mbeadh páirtí David Trimble sásta fiú an méid a socraíodh ar 18ú Nollaig a chur i gcrích anois.

Aontaím leis an méid a dúirt comrádaithe de mo chuid cheana féin faoin ghéarghá atá ann le dul chun cinn a dhéanamh go práinneach agus na forais uilig a bhunú gan mhoill.

Cé go bhfuil cuid mhaith gearán againn faoin socrú a rinneadh ar an 18ú Nollaig agus faoin tslí ina ndearnadh an socrú sin, tá rud amháin soiléir: níl fáth ar bith ann nach gcuirfimis an Coiste Feidhmiúcháin agus an Chomhairle Aireachta uile-Éireann ar bun láithreach.

Sinn Féin has repeatedly stated the view that the reaching of agreement on Good Friday was not an end point but an important stage in building a bridge from the conflict of the past to a future where we can all work together for the good of all our people. It is in this context that we judge this report. The dynamic operation of all-Ireland structures can be an important engine for reconciliation throughout the island. Without the all-Ireland dimension there would have been no Good Friday Agreement. Of course, it was understood that in the agreement the Ministerial Council and the Assembly are mutually interdependent.

Nationalists who voted for the Good Friday Agreement attach considerable importance to the remit, strength and dynamic of the Ministerial Council and the all-Ireland bodies. Their effect should be to diminish the negative impact of over 70 years of partition and to encourage common purpose in unified actions throughout the island on a wide range of social and economic areas.



When we first received the scant interim report from the First Minister (Designate) and the Deputy First Minister (Designate) on 14 September 1998, Sinn Féin made an initial written response, which included proposals for seven implementation bodies, and seven areas for co-operation on the basis of common policy but separate implementation.

The implementation bodies were to cover the Irish language, inward investment, trade promotion and indigenous company development, trading and employment, EU programmes, EU agriculture and fisheries policy and tourism. They were also to cover areas of common policy in education, transport, community development, health, arts and heritage, environment and energy.

We had bilateral discussions with the Irish Government, the SDLP, Alliance and the Women's Coalition. We participated in a series of round table discussions chaired by the First and Deputy First Ministers (Designate). Our party leader also discussed our proposals with both Governments, the First Minister (Designate) and Deputy First Minister (Designate).

The two Governments were happy about the establishment of eight all-island implementation bodies. On the night of Tony Blair's visit to Belfast, the Ulster Unionists also agreed to that, only to resile from it the following day. Subsequently, the UUP endlessly protracted discussions to minimise what eventually emerged.

During the negotiations that led to the Good Friday Agreement, there was a clear understanding that, in return for embracing strand one and the Assembly in particular, Nationalists would have the compensation of strand two, with the all-Ireland Ministerial Council and the implementation bodies. However, since the Assembly was established in shadow mode, the Ulster Unionists and other Unionists have prevented the establishment of the all-Ireland Ministerial Council and minimised the remit and importance of the implementation bodies.

Sinn Féin rejected the UUP's proposal that it should identify three implementation bodies, with as little substance or impact as they could, with any credibility, suggest, and that the Nationalists in this state, together with the Irish Government, should be left with only three bodies of their choosing. That is what was agreed on 18 December, with even those bodies greatly restricted in their functions.

As negotiations came to a close, agreements were reached with the UUP that fell short, in Sinn Féin's view, of what should have been achieved. The decisions to remove inward investment from the trade promotion and inward investment body, to restrict further its

powers in relation to business development, to limit the number of implementation bodies to the absolute minimum laid down in the agreement and to make the tourism body a publicly-owned limited company, rather than an implementation body as before, were taken without Sinn Féin's support.

Those decisions were negative and unnecessary. Even now, the "Poor David" card is played. There is no indication that the UUP intends to implement even what they agreed on 18 December.

I agree with what my Colleagues said today about the urgent need to establish all the institutions without delay. Ulster Unionist Members and others have said that they wish to make progress and implement the agreement. I welcome that. However, what is the best way to achieve the forward movement that we all seek? Is it through exclusion? Is it through demonisation? Is it through blocking and making preconditions? Or is it through people working together in co-operation?

**Mr Close:** The report is largely factual, setting out details of meetings and negotiations over the past few weeks. It has been referred to as "treachery", "fraud", "a juggernaut", "a blank cheque" and "a corruption of the democratic process" by those whose heads are still firmly stuck in the sands of yesteryear.

3.45 pm

But for those who have a vision of a better society, those who want to look towards the future, who want to cast off the shackles of the past, another piece of the jigsaw is being put in place — another step is being taken towards fulfilling people's hopes as expressed by their overwhelming support of the Good Friday Agreement. This is a step towards normality, towards a time when people will have accountable government; it is a step further along the road to stability.

I could spend a lot of time debating the number of proposed Departments, or why such-and-such a function is included in Department X rather than in Department Y, or why the six specified areas — transport, agriculture, et cetera — were identified as suitable for North/South co-operation, or why the implementation bodies are as outlined in paragraph 4.3.

I could criticise the apparent lack of detail on the British-Irish Council and the absence of progress on the Civic Forum. I could protest that today is not determination day when the Executive will be established thus enabling power to be devolved. But to what avail? The tone of today's debate does not lend itself to any critical analysis of the report.

We charged the First Minister (Designate) and the Deputy First Minister (Designate) with a task which is outlined in the introduction to the report. This is the latest report on progress, and I welcome it. I welcome



progress because the people wish to see progress; they wish to see the full implementation of the Good Friday Agreement as soon as is humanly possible.

Many of us feel that since we were elected the pace of progress has been extremely slow, that the lack of trust which exists in some quarters — and in large measure — is thwarting the desire of the electorate. The agreement acknowledged the substantial differences between continuing and equally legitimate political aspirations. However, there was also a commitment to strive, in every practical way, towards reconciliation and rapprochement within the framework of democratic and agreed arrangements. All who supported the agreement pledged that we would work in good faith to ensure the success of all of the arrangements that it established.

But are all those people who commended the agreement to the people and received their overwhelming endorsement sticking to their side of the bargain? I do not mean sticking to their interpretation of the agreement, but, rather, are they trying to see it from the other person's perspective? This lack of trust — particularly between Unionists and Nationalists — is tangible. It strikes me that little or no attempt has been made by some Unionists to understand fully the difficulties of their political opponents. Likewise, Sinn Féin, in particular, has done little, if anything, to recognise the problems of the Ulster Unionists. The two sides are still apparently seeking victory over each other and are creating or maintaining obstacles to progress rather than helping each other overcome them.

One key factor is, undoubtedly, the question of decommissioning. But what have the great “no-men” done to try to get this problem resolved? The Ulster Unionists have stated that they will not sit in an Executive with Sinn Féin unless and until decommissioning has commenced. On the other hand, Sinn Féin maintains that it is fulfilling its commitments under the agreement, that it is working constructively and in good faith with the independent commission and is using any influence it may have to achieve decommissioning of all paramilitary arms within two years.

Each side is continuing to sit on its high horse and accuse the other of bad faith.

Each may well have a point and can certainly justify its position to its supporters, but neither can justify its position to the other side. I contend that each is therefore breaking its pledge to the great mass of people who are demanding that we all work together to ensure the success of the whole agreement.

The vultures — whose aim it is to wreck the whole process and, ironically, to deny the voice of the majority as delivered in the referendum — are gloating and

gaining succour from the present stand-off. They are still fighting the referendum campaign. Do they not understand that they have lost that fight? They tell us that they are being ignored — we have heard it again today — and that the agreement is being forced down their throats. My response to that is “Come off it”. They ran away from the negotiations.

I do not believe that either the vast majority of Ulster Unionists, or Sinn Féin, wish to give victory to these abominable “no-men”. I do not believe that either camp wishes to destroy the hopes or aspirations of 72% of the people who voted “yes”. I do not believe that either camp wishes to walk away from that which has been achieved to date. They do not wish to see something which has positive potential being replaced by the certainty of negative despair. This report can be viewed, in some respects, like a wheelbarrow. We are using it to push the load in front of us, but we cannot keep on pushing forever. Some of us may be getting tired of pushing, and the people are certainly getting tired of watching us.

I can approve this report because it designates “D-day”. February 15 is only a matter of days away. I urge all to share the remaining problems, to demonstrate again the courage which brought about the Good Friday Agreement, and to deliver to the people that which again appears to be impossible. Who would have thought that we could have come so far in 12 months? Many courageous steps have already been taken on all sides. We are tantalisingly close. Another few steps and we gain the summit. We cannot let stubbornness, tiredness or anything else get in our way now. No one, but no one, can give up now. Compromise has brought us thus far, and compromise must again be practised to bring to fulfilment our pledge to the people.

Time is short, but with patience, determination and goodwill on all sides, I am convinced that the remaining time can be put to good use. We must all get around the table and thrash out a solution to the remaining problems. Let us not, for heaven's sake, spend the next few weeks closeted in our offices blaming everyone but ourselves. It is time for everyone to stop digging holes which are already deep enough. If those with the spades do not stop digging now, then the holes will collapse around them and bury them in failure. It is time for everyone to climb out of the holes and get to the negotiating table because, as we have demonstrated before, the solution can only be found through talking.

**Mr Birnie:** I want to commend this report, particularly the aspects relating to both North/South (strand two) and East/West (strand three) relationships. First of all, what did the Belfast Agreement, and, indeed, the Northern Ireland Act 1998, say about the accountability of North/South bodies? Decisions made by the North/South Ministerial Council are to be with

the agreement of both sides — Strand Two. I quote from paragraph 11:

“The implementation bodies will have a clear operational remit. They will implement on an all-island and cross-border basis policies agreed in the Council”.

As the second paragraph emphasises,

“Operating in accordance with the rules for democratic authority and accountability in force in the Northern Ireland Assembly.”

**Mr Roche:** The fact that the North/South Ministerial Council will be operating under the rules for accountability in force in the Assembly and in the Dublin parliament does not mean that the Council will be accountable to the Assembly.

Furthermore, the agreement, at paragraph 6, says

“Each side to remain accountable to the Assembly and Oireachtas respectively, whose approval, through the arrangements in place on either side, would be required for decisions beyond the defined authority of those attending.”

This means that approval is not required for decisions that are within the defined authority of those attending.

**Mr Birnie:** Section 52 of the Northern Ireland Act 1998 prescribes cross-community representation amongst participating Northern Ireland Ministers, and this is an important point. It further provides for these Ministers to report back to the Executive and the Assembly. The Act also states that after the appointed day for transfer of powers no further implementation bodies shall be set up without the agreement of the Assembly.

I want to commend the proposals made in respect of the six implementation bodies. First, by formalising existing areas of co-operation, we will be able to make administrative improvements, for example, with regard to inland waterways and the drafting of the relevant common chapter of the Structural Funds Plan.

Secondly, there are clear issues of public interest. Information could be shared between Governments in Northern Ireland and the Republic of Ireland to deal with common difficulties — for example, in the work of the food safety body on matters such as food poisoning and animal disease. Mutual benefits will also be gained through the agreement of property rights, probably including the clearer demarcation of the frontier in Lough Foyle and Carlingford Lough. This is why we proposed the creation of the body with responsibility for aquaculture and marine matters.

If the body with responsibility for trade and business development can bring about improvements in trade, supply and procurement on both sides of the border, and this improves the employment situation in both parts of the island, then this will clearly be a win-win situation. I have tended to be sceptical about whether there really

are substantial economic barriers between the two parts of the island, although there may be certain psychological barriers.

If the new trade body can help to persuade managers of firms in the Republic of Ireland that Northern Ireland companies are not hopelessly crippled by violence and instability, and, conversely, if it can convince managers in Northern Ireland that customers from the Republic of Ireland will settle their bills on time, then it will be doing a good job.

Thirdly, we want to improve the accountability of those already involved in existing cross-border co-operation. Thus, the special EU programmes body will assume responsibility for the evaluation and monitoring of the INTERREG programmes.

Fourthly, we anticipate that, in time, some of the North/South links created under strand two will be mirrored by similar East/West bodies, as dictated by mutual interest, as, for example, in the case of food safety and language promotion. This will be done through the British-Irish Council.

One final consideration which illustrates the balanced nature of these proposals relates to the art of policy making, especially economic policy making, which is based on matching up policy-making institutions with policy objectives. At a time when, after a gap of a quarter of a century, power may be returned to local bodies, we have ensured that the major institutions concerned with economic and industrial policy are to remain under the control of Northern Ireland policy makers.

The Industrial Development Board, with its inward investment function, will continue to exist. Over the years, many people, including myself, have been critical of the Industrial Development Board, but I am reminded of the story of the reaction of President Roosevelt when he was told that the contemporary leader of Guatemala was “a bloody despot”. Roosevelt replied “Well, at least he’s our bloody despot.”

Members may be aware that Roosevelt often used more colourful language than that. At least the IDB remains our institution; we can keep it under our direction to improve its performance. When we can work with the Republic of Ireland on industrial policy, we will do so. Where there is competition, that co-operation must necessarily be limited in our own economic interests. Similarly, we have kept under the exclusive control of Northern Ireland policy makers such organisations as the Tourist Board, the Local Enterprise Development Unit, the Training and Employment Agency and the Technology Unit.

I support the report. It is about realising what the Belfast Agreement called mutual interest. It is consistent with the historical record of practical

North/South co-operation instituted under the Stormont Governments of the 1950s and 1960s. Some of our colleagues probably regard Lord Brookeborough as a traitor as well.

There will be overarching East/West institutions through the British-Irish Council: Northern Ireland's fundamental constitutional position within the United Kingdom remains the same. These international arrangements are unique; they are not a micromodel of European Union neofunctionalism. They offer the best prospect of creating a house which is both a warmer and a wealthier one for our peoples of various traditions.

**Mr Byrne:** In common with other members of my party, I welcome the report. It is belated but nevertheless welcome. I am disappointed that it is not a final report. I supported the 18 December agreement, because it was important for us not to go into the new year without reaching agreement. The people have expectations; they elected us to do a job. They want to see continued progress, with all the institutions working, including this Assembly.

The mood of people throughout Ireland, particularly in the North, has been driven up and down since the referendum, and we have to be conscious of that mood. We have lived through 30 years of terrible pain. The public have paid a terrible price for political instability, and they do not want us to renege on our responsibilities.

We have a mandate for the agreement, and as Nationalists, we got that mandate from all of Ireland. Parties cannot use it as a political takeaway. We must take it forward in its entirety, and we all have a public and political duty to overcome the remaining obstacles. On the Nationalist side, there is concern about Unionist intentions. Equally, on the Unionist side, there is concern about the intentions of some Nationalists. Trust has to be built, and I think that we are beginning to achieve that. This debate will help in that task.

I welcome the setting up of 10 Departments, and I do not regard the alleged extra cost of £90 million as a terrible crime. The people of Northern Ireland are looking for better government, and the 10 Departments will allow a better distribution of devolved government functions. Within the office of the First Minister (Designate) and the Deputy First Minister (Designate) there is to be an economic policy unit. I welcome that because this region is not performing well economically.

Where is Ulster pride? We depend on £4 billion a year from Great Britain. One of the major tasks of the Assembly and the economic policy unit will be to devise a strategy to get away from that level of dependency. In terms of equality, we are pleased that

the unit is to be sited in the office of the First Minister and Deputy First Minister. Equality should not be pursued in a piecemeal way. It must be driven from the centre, and it must be implemented in all Departments.

My Colleague Sean Farren spoke about the setting up of a scrutiny committee for equality, and I think that that has also been accepted by Unionists. That is welcome, because we want to see equality implemented in all its facets. We do not want any further alienation on either the Unionist side or the Nationalist side over the way decisions are made. That has contributed enormously to our problems.

The work of the Assembly can be driven practically and effectively through its Committee system. The sooner that we can get the Departments and the relevant Committees set up, the sooner we will be able to conduct our business more effectively and efficiently.

The Committees have the potential to reflect a most important political dynamic for the effective and efficient functioning of the departments. The agreement refers to how these Committees may work. As I see it, they can play an effective role in policy formulation, and every party in the Assembly will be able to contribute to that. The Committees can scrutinise Departments and check on how they are performing. Each Committee will be the public's guardian of how executive functions are being carried out. The Committees can hold Ministers to account for the work that they will be doing. They can also carry out consultation exercises by inviting experts from outside. The Committees must be seen to function in a constructive and consensual way, and I am convinced that that is where the correct genesis for the operation of this Assembly is to be found.

Committees can also be a forum for more informed and exhaustive discussion between politicians and the Civil Service. We all know that for the past 30 years Ministers coming from Great Britain did not really understand the problems and the needs of our people. Civil servants have largely been determining policy and implementing it. I do not blame them for the way in which the place has been run, but a stronger political input into policy formulation by local politicians would have been more effective.

Policy formulation can be made more effective and specific to our needs. That terrible problem of the democratic deficit can be addressed. Those of us who have been councillors for years are aware of the difficulties in trying to lobby on issues in our constituencies.

On the North/South bodies, all Departments will have a role. I welcome what Mr Roche said about this subject, but why should we be so afraid of this? This is a small region with 1.5 million people. We do not want



to continue living in splendid isolation. Economics should determine that we co-operate. Golden Vale, the Kerry Group and other companies from the South have made investments in the North. I want to see Northern Ireland companies investing in the Republic as Glen Dimplex, the Sean Quinn Group and the Hastings Group have done. Let us encourage and facilitate that.

European Union initiatives dictate that we, as a region, should have an effective, cross-border development strategy for social and economic gain. I live in a border constituency, and I know the problems of neglect in relation to infrastructure. Regional development will play an important role in those peripheral areas, and it will happen only if there is cross-border co-operation.

I want the road from Dublin to Derry, the A5, which runs through my constituency, and the A4 through Fermanagh to be upgraded. We have been deprived of investment in the past. I am not blaming anybody for that, but we were disadvantaged by an economic border.

**Mr Shannon:** The report signals the death throes of democracy in Northern Ireland. We have been fatally wounded by the Belfast Agreement, and the report aims to hammer the final nails into the coffin of the cause which so many have given their lives to defend. Paragraph 3.7 of the report states

“We want to agree upon and implement a programme for government that will succeed in delivering efficient, accountable, transparent government”.

The irony would have been too great for the authors of the document to include the word “democratic” in the description of the style of government they claim to strive for.

We in the DUP have remained firm in our demand that only seven Departments should be created. Those who are in the habit of caving in to Republican pressure have created the potential for a system of government that is far from efficient. A scenario has been proposed in which £90 million is to be squandered on the demands of pan-Nationalism for three extra Ministerial posts so that they will gain a wholly disproportionate number of Executive positions. That form of government cannot be described as democratic.

To be efficient, a Government must be effective and should waste as little as possible. The proposal will waste £90 million that could be spent on an ailing Heath Service in which patients must wait weeks for urgent surgery, or on upgrading our crumbling and inadequate roads. We are being blackmailed on this issue in that if the port of Belfast is not privatised we do not get the improvements. It seems that pan-Nationalism demands, and pan-Nationalism gets.

The accountable government spoken about in the report is not that which we would be familiar with or

desire. Through the Belfast Agreement, accountability is to the terrorist and the gunman, and to them alone. It is at the whim of Gerry Adams and the Republican movement with their stockpiles of AK47s and Semtex. They are unchanged, and are pledged never to change. They are unconditionally committed to the destruction of this country — should that be through violence or the threat of violence, whichever brings the greater rewards. This report propagates the lie that peace is possible only through such concessions.

The fact that ongoing negotiations between a number of parties on the implementation of North/South bodies is leading to a final report, as described in this document, is most worrying. Proposals will not be part of a recommendation or part of a greater consultative process. They will result in a final report which suggests that the reality of North/South bodies is that their structures and substance will continue to be developed, irrespective of events within or without this Assembly. Many people will claim that these North/South bodies will be answerable to the Assembly.

*4.15 pm*

Should the Assembly cease to function, which would happen if, for example, the Ulster Unionist Party were to walk out, these embryonic all-Ireland Departments would continue to operate and would be answerable to no one but themselves and Dublin. Those who call themselves Unionists or democrats are morally bound to oppose this sordid deal.

The British-Irish Agreement is no more than the Anglo-Irish Agreement dressed up as democracy. We have had many examples of 1980s revivals recently, such as Culture Club, Duran Duran and the Human League, but this must be the poorest attempt yet by the NIO at a comeback. It is a poor cover version of an even poorer original publication.

Some Members might think that Maryfield is closed and that the Anglo-Irish Agreement is defunct. That is a fabrication and a falsehood. Maryfield may have closed, but the same personnel have been transferred to Windsor House in Bedford Street to await their make-over. The Anglo-Irish Agreement is proceeding at full steam in the run up to its rechristening as the British-Irish Agreement. Dublin still interferes, thereby creating instability in all aspects of life in Northern Ireland, and that looks set to continue. As with the egotistic and immoral claims observed in the Irish constitution, the principles of the Anglo-Irish Agreement will disappear only when they are obsolete, when claims are fulfilled and when bodies cease to be required in order to gain constitutional leverage over the neighbouring jurisdiction.

There is one notable omission in all of this, and it is the major detail of the decommissioning of terrorist



arsenals. The document rambles on about efficient, accountable and transparent government, but there is no mention of the arms that are possessed by the very people who demand places on the Executive and who would be so facilitated by the ratification of the document. The Secretary of State is closing her eyes and ears to the hundreds of terrorist acts committed since the signing of the agreement. She has said

“It is not a question of if decommissioning is going to take place, it’s a question of when.”

and the cynic could be forgiven for interpreting this as, “It is not a question of if there will be a United Ireland, but a question of when”, because only then may the IRA decide that it no longer requires its guns. That is stated in the IRA’s constitution. It was reported in the ‘Belfast Telegraph’ that in a telephone conversation to Tony Blair on 20 September last year Gerry Adams said

“Britain created the problem in Ireland ... The British Government therefore has a major role in initiating a strategy which will bring a ... resolution and lasting peace ... The aim ... must be to seek to change British policy from one of upholding the union to one of ending the union.”

It was Adams and his colleagues who starved Ulster of the peace it desired. The “strategy” of which he speaks is that of creating a pathway to a united Ireland. The message is clear. If that is not done, a lasting peace will not be delivered, and guess who will be pulling the triggers of the guns that we want to see destroyed.

The DUP will not be pulling the triggers, nor will any other truly democratic and constitutional party be detonating the bombs. The IRA will once again be the cause of conflict in Ulster. The IRA has bombed its way into this Assembly, and it continues to make demands. The policy of the ballot box in one hand and the Armalite in the other, seems to have been replaced by a policy of the ballot box in one hand and the threat of the Armalite in the other.

On Thursday night there was a serious threat against Newry RUC Station. It was not reported by the press but RUC officers were prepared for an IRA attack.

The DUP, together with its anti-agreement, pro-democracy colleagues, has been consistent in its demand that only through total decommissioning could those who have wreaked death and destruction across this country for more than 30 years be admitted to the democratic process.

The terrorists believe that they can control people through violence without the practice of such savagery contaminating their political ideals. Acts of barbarity are committed almost daily, yet prisoners continue to be released and re-offend. That cannot be accepted in any democratic society. I hope that all democrats in the House will agree that it is not acceptable for these men to take any position in the Government of Northern

Ireland while they retain and maintain their murderous capability.

I reject the claim that broad cross-community support has been received for the statement of 18 December. The majority of the Unionist people are now totally opposed to this evil and thoroughly rotten process. There is no support for the creation of a completely undemocratic Civic Forum. The only people who might be interested in this waste of time and money are those who could not obtain a democratic mandate to enter the Assembly. The existence of such a body is devoid of any democratic principle.

Following the murder of Andrew Kearney last year, Reg Empey said that that put Sinn Fein in a very difficult position. The only squirming that I have observed during this debate has been by Ulster Unionist Members in the benches to the left of me as some of them have attempted to justify their past words and deeds.

In one corner we have IRA/Sinn Fein dealing in fractures and in the other corner we have John Taylor, the Member for Strangford, dealing in fractions. But Mr Taylor does not know whether he is a mathematician or a magician. He is a mathematician when it comes to adding the figures up, and he is a magician when it comes to making a 40-foot barge pole disappear in seconds.

I quote Lord Carson:

“of all the men in my experience that I think are the most loathsome it is those who will sell their friends for the purpose of conciliating their enemies and, perhaps, still worse, the men who climb up a ladder into power of which even I may have been a part of a humble rung, and then, when they have got to the top and power, kick the ladder away without any concern for the pain, or injury, or mischief or damage they do to those who have helped them to gain power.”

Some of the Members in this Assembly might do well to think about Carson’s words.

The thrust of this report, far from giving efficient, accountable and transparent government is no more than an exercise in political expediency. This process is accountable only to the gunman and, as a direct result, is muddled with lies and deception.

**Mrs Nelis:** Go raibh maith agat, a Chathaoirleach.

Sinn Fein welcomes the provision for setting up the consultative Civic Forum in paragraph 34 of the Good Friday Agreement, in the legislation and on page 8 of this report. Sinn Fein is contributing constantly to the development of all the structures under the agreement, and that includes the Civic Forum.

The signing of the Good Friday Agreement signalled a shift away from the unrepresentative and undemocratic structures which have existed in the

North since partition. We welcome the fact that the new structures of Government are to embrace the democratic principles of equality of representation and of accountability and that they will be all-Ireland in character.

Part of this new dispensation is the establishment of an innovative consultative body — the Civic Forum. Sinn Féin believes that the development of the Civic Forum will complement the work of the Assembly, add to the quality of decision making and include marginalised groups in the democratic structures. We want to see the Civic Forum progress expeditiously because we believe it will facilitate the process towards democracy and change. But, no matter how much we may want to see it up and running, it is important that those Members in the sub-group charged with making recommendations ensure that they get it right. We must give our best efforts and quality time to the steps that need to be taken to establish the Civic Forum.

We may not succeed, but we have to advance cautiously. There is no imperative, other than the personal opinions of the First Minister (Designate) and the Deputy First Minister (Designate), to determine the quality of the Civic Forum. The principles which should form the process and underpin its final development should be secondary to the timetable for the establishment and operation of the Forum itself. Sinn Féin believes it is much more judicious to ensure that the Civic Forum delivers from the start what everyone expects from it. If we get it right, it will revolutionise the relationship between people and politics and remove any suspicion and cynicism about the Civic Forum's becoming a club for the great and the good.

There are those in the Chamber who do not want to see a Civic Forum set up. But we who do want this body know that we are building bridges which we all need to cross. The Assembly, in conjunction with the Civic Forum, needs to promote the principles of equality, accessibility, transparency and accountability. These are not mere words. They are core values that should not only apply to the working of the Civic Forum but to the working of the Assembly as well. They must also be central to the deliberations of the sub-group. The submissions received to date represent, according to the advisers, a narrow cross-section of civic society in the North.

The 70% of people who voted for the Good Friday Agreement, of which the Civic Forum is a part, want such a body — indeed, all the institutions of the Assembly — to reflect the confidence that they have placed in those whom they have elected. They want to see a Civic Forum set up whose purpose will be to imbue these core principles and to restore and build trust.

Sinn Féin upholds the principles which underpin the agreement and has submitted proposals, consistent with equality, accessibility, transparency and accountability, that will help devise the mechanism for delivering the Civic Forum. As a party, it will not rubber-stamp any proposals that do not have, as a central tenet, the principle of equality.

It is the responsibility of those who have argued that equality can be assured and achieved in the institutions under the direct control of the First and the Deputy First Ministers (Designate) — and that policy has been established under the agreement — to demonstrate now that membership of the Civic Forum will be explicitly, directly and systematically equality-proofed.

We in the sub-group are mindful of this. That is why the report presented today by the First and the Deputy First Ministers (Designate) does not include proposals for the setting up of the Civic Forum. We have agreed some aspects of the Forum, such as the working arrangements, but there are still issues of a fundamental nature which need to be addressed.

I was surprised when I heard Mr McGimpsey saying on the 'Inside Politics' programme that the Forum had been put to bed. I can assure Mr McGimpsey that we have not agreed on the quality of the mattress yet. I believe that the sub-group needs to continue its work of ensuring that the process which creates the Civic Forum itself also promotes active citizenship and participatory democracy.

In this way the Civic Forum will become the survivors' guide, not the victims' guide, to overcoming the conflict not just of the last 30 years, but of the last 70 years. We are beginning to see how this can be achieved, and we need to keep learning as we go.

Go raibh maith agat, a Chathaoirligh.

**Mr Boyd:** I reject the motion tabled by the First and Deputy First Ministers (Designate) and support the amendment in the names of Dr Ian Paisley and Mr Peter Robinson.

The Northern Ireland Unionist Party's position is that the focus on departmental structures is further marginalising the core issue of the decommissioning of terrorist arsenals. Proposals on departmental structures should exclude parties which front terrorist organisations that are refusing to decommission their arsenals and dismantle their paramilitary structures.

Let us examine the attitude of the SDLP, a party which throughout 30 years of terror has constantly condemned violence but has not hesitated to profit politically from that violence. This requirement presents the SDLP with a clear choice between supporting democratic practice and the integrity of the rule of law or supporting Sinn Féin/IRA's demands to participate in

the Executive — that is, in the Government of Northern Ireland — while retaining its terrorist arsenal and structures.

4.30 pm

If the SDLP supports Sinn Féin in its refusal to decommission its terrorist arsenal and dismantle its terrorist structures the former will render itself indistinguishable from Sinn Féin/IRA.

The alternative is for the SDLP to align itself with the fundamental, democratic demand that Sinn Féin/IRA must decommission its terrorist arsenal and dismantle its terrorist structures. The pro-Union community, rightly, will not tolerate government by an Executive that includes the architects of the terrorism that has been directed against them for 30 years, while the IRA retains its arsenal and its structures for use at its discretion. Such a situation is unthinkable and totally unacceptable.

The obligation on the United Kingdom Government to demand decommissioning is reinforced by the clear impression conveyed by the Prime Minister, and which was a crucial part of the referendum campaign, that decommissioning would be a condition of Sinn Féin/IRA taking its seats in the Executive. This impression was given on at least the following occasions: speeches at Balmoral and the University of Ulster; the Prime Minister's handwritten pledges; the letter to Mr Trimble on 10 April 1998; and statements by the Prime Minister to Parliament.

The law-abiding majority in Northern Ireland wants a stable society in which citizens can go about their lives in peace. Ordinary people find the struggle of bringing up their families, the stresses of modern life, the needs of elderly relatives and others enough to contend with, without being subject to the political dictate of parties fronting terrorist organisations with the aim of destabilising and overthrowing their society.

A stable, prosperous Northern Ireland is what most people would settle for; a stable Northern Ireland is the objective that I strive for. A minority has no interest in a stable society in Northern Ireland; it is only interested in instability. Instability is its way of life and it thrives on it. Unfortunately for the tens of thousands of innocent victims of violence, and the many hundreds of thousands whose lives have been disrupted by bombings and social dislocation, who have had to move house or rebuild businesses, it is not only the revolutionaries, or counter-revolutionaries, who appear to have a vested interest in instability. Many have concluded that the British Government are indifferent to Northern Ireland's position within the United Kingdom.

Lip-service is given to the concept of the Union. Daily events on the ground undermine any confidence that ordinary people might have in the sincerity of the British Government's desire to uphold the rule of law and to protect democracy. In spite of what some would tell us, Northern Ireland is in greater danger than it has been for the last 30 years. The Union with Great Britain has been weakened and our citizenship of the United Kingdom eroded. In recent years Government officials and Ulster Unionist politicians have entered talks with Sinn Féin/IRA. We have seen the early release of terrorists, the national anthem banned in the university, the national flag — the Union Jack — and portraits of the Queen removed from the workplace. In the courts, Queen's Counsel are no longer obliged to swear an oath of allegiance. Orange halls have been burned, and there has been an orchestrated campaign to ban and re-route traditional Orange and Loyalist parades. This campaign is spearheaded by residents' groups, many of which contain convicted IRA terrorists.

Nevertheless the majority of those elected do not, and will never, consent to a united Ireland. So powerful is the yearning and desire of the majority of the people in Northern Ireland for Britishness and the Union that all elections since the inception of Northern Ireland show an unwavering majority of votes in favour of the Union and a British identity.

Throughout 30 years of the most horrendous terrorist campaign which any civil society has been called on to endure, the will of the majority for the maintenance of the Union with Great Britain was never broken, even in circumstances where the Republic of Ireland provided a safe haven for Irish Republican terrorists. In 1998 there were 55 murders, 40 after the signing of the Belfast Agreement on 10 April 1998 and 500 punishment beatings and shootings. More than 200 terrorists have been released early and have taken up their paramilitary activities where they left off. Surgeons have recently stated that punishment beatings and shootings are increasing in ferocity, including deliberate attempts by the terrorists to cripple their victims permanently. Yet Mo Mowlam has stated that there is no evidence to confirm that these attacks have been sanctioned by terrorist organisations.

The representatives of Sinn Féin/IRA do not share the common desire of ordinary people for stability. They are committed to a revolutionary principle. The Assembly is merely a transitional stage in the revolution, and whether that struggle is defined as armed or unarmed really depends on the degree of violence that the Government are prepared to tolerate in the name of the peace process. We have the worst of all possible worlds, with terrorists outside the Assembly and their representatives inside it.



This debate gives us an opportunity to reflect upon a groundswell of opinion in the Unionist community that is moving increasingly towards a reappraisal of the unbalanced Belfast Agreement.

On Friday 15 January 1999 the 'News Letter' quoted Vincent McKenna, a leading figure in the Northern Ireland anti-intimidation group FAIT, as stating that he would not support the Good Friday Agreement if it were to be put to the people in another referendum. Mr McKenna is quoted as saying

"if a second referendum on the accord were to be put to a vote, I would not be voting yes."

The FAIT spokesman claimed

"The credibility of the peace process was being eroded by the continuing paramilitary-style attacks by republicans and loyalists on recognised ceasefire.

Over the last year there were 500 incidents attributable to terrorists whose organisations are in the process. This was admitted by the Secretary of State in the House of Commons on December 2nd .

The IRA shot 38 people last year, as opposed to 22 the previous year, and in the last week alone the Provos had by Sunday shot two people and carried out seven beatings, while the Loyalists matched those figures.

And yet despite this terrorist activity, these incidents are being ignored by the British Government, are being sidelined by both Governments and we are facing the prospect of the very people who sanctioned these acts taking office.

This is not what people who voted yes in the May referendum voted for. It is not what families whose loved ones have suffered at the hands of paramilitaries voted for. They feel cheated."

We have the opportunity today to declare in favour of a civil society in which ordinary people are free from gangsterism, intimidation, provocation and polarisation. Those in the Unionist community who voted in favour of the Belfast Agreement because of the false promises and pledges of Tony Blair and the Government that decommissioning would take place have since openly admitted their errors and now reject the Belfast Agreement and its appeasement process. All Unionists elected to the Assembly must now acknowledge this fact.

As an elected Member for South Antrim, I am proud that the vast majority of the Unionist electorate in my constituency were aware of the danger to Northern Ireland's position within the Union and totally opposed the implementation of all-Ireland structures and bodies in the June 1998 election. This opposition is growing daily in South Antrim and throughout Northern Ireland.

On the issue of departmental structures under the terms of the Belfast Agreement, the Executive is not accountable to the Assembly, since it would be virtually impossible to remove any Minister from office. I also strongly oppose 10 Departments. That will impose an equal number of Unionist and Nationalist Ministers on the Unionist majority of Northern Ireland, and that is a major concession by the Ulster Unionist Party to the pan-Nationalist front.

There would also be the significant administrative costs of increasing the current six Departments to the proposed 10 — a change designed more for political reasons rather than for the betterment of the taxpayer and greater efficiency.

There is no mention in the report of the future role and function of local government or of the large number of unelected quangos. There is also insufficient information about the appointments of members to the Civic Forum or about their specific roles.

The Unionist community totally rejects this report and its contents which, if passed by the Assembly, will create an Executive with militant Republicans discharging ministerial functions. I support the amendment.

**Mr Taylor:** Mr Boyd said much with which I disagree, but he was right to underline the fact that this report is incomplete. That is why it is an interim report. The final report is not before us but will be before the House in a month's time. Leaving aside the first hour or so, when there were noisy interruptions from the DUP wing in particular, this has been a sombre and thoughtful debate on where we are going in Northern Ireland. We have arrived at a very difficult point in the history of this Province, of this part of the United Kingdom and of this part of the island of Ireland.

We now have an interim report based on the Belfast Agreement of Good Friday 1998 showing us the way forward on the creation of an Executive comprising 10 Members from the four main political parties in the Assembly, on the creation of six bodies for co-operation between Northern Ireland and the Republic and on the creation of six bodies for the implementation of policies of interest common to both Northern Ireland and the Republic, policies which will be subject both to a veto by the Unionist Member present on that body and to a veto by the Assembly.

Other issues have been left out. We have made little progress on the Civic Forum, and we still have to complete the details of the new British-Irish Council to enable us to create an institution that will deal with all that we have in common in these British Isles — Southern Ireland, Northern Ireland and the rest of the



United Kingdom. There is considerable work to do, and that is why a further month is required.

The Belfast Agreement created problems and concerns for everyone. For the SDLP there are problems, for Sinn Féin there are many problems, for the DUP and the former UKUP there are many problems and for the UUP there are many problems. Indeed, I see that Mr Shannon, the DUP Member for Strangford, does not understand what happened. When he refers to the 40-foot pole he shows that he does not understand the type of document that we had on the Tuesday before Good Friday.

Those who were involved in the negotiations — and the DUP did not have Mr Shannon there — know that in that document there were the 50 cross-border bodies that were proposed by Senator Mitchell. It was only by the UUP's taking a firm stand and saying we would not touch it with a 40-foot pole that that number was reduced to 12 in the agreement itself. Of course, the DUP does not give credit for these things because some of them want to score points and others, like Mr Shannon, because he does not understand.

We all have concerns. There was the referendum. It was carried by 70% plus — fewer than 30% were against. If we are honest, we know that, while the overwhelming majority of the Catholic community voted "Yes", in the Protestant community there was only a slim majority — just over 50%. That is the accurate position. Why did the Catholic-Nationalist community vote "Yes" in such overwhelming numbers? It voted "Yes" because it wanted to see peace established in Northern Ireland on the basis of partnership government. After 30 years of violence it wants peace, and Sinn Féin has failed to get that message. The people who voted "Yes" were not expressing support for a continued ability to perpetrate violence in Northern Ireland, they were actually saying "We have had enough." Whether we are Catholic or Protestant, Nationalist or Unionist, we want peace and stability, with Catholic, Protestant, Nationalist and Unionist working together for the good of Northern Ireland.

We have much in common with other political parties. *[Interruption]*

**Mr Paisley Jnr:** Sinn Féin?

**Mr Taylor:** Yes. All parties in Northern Ireland want to see a better Health Service, better housing and jobs created throughout the Province. It is all right to sneer at these things, but they are important to the man on the street — be he Catholic or Protestant — and if we work together we can achieve these things for our people. Of course, we can divide and go back to civil war, but that will not help the ordinary man in the street.

The Ulster Unionist Party was at one time a party of the Establishment. I saw that in my younger days in this House. Today I would call it the Poujadist party of Ulster. David Trimble is one Member at least who knows what that is. We will leave the other Members to look it up later. We share with other parties the desire to create a better society in Northern Ireland in which we will all thrive and have equality of opportunity.

The key issue in the next month is how we complete the unfinished work. I do not envisage much difficulty in progressing with the British-Irish Council and the Civic Forum, but the crucial issue is whether there will continue to be a threat of violence in Northern Ireland.

4.45 pm

**Mr Morrow:** Is Mr Taylor in any doubt about that?

**Mr Taylor:** Of course I am in doubt. I have always been in doubt about that. On Good Friday — I even remember you, Mr Initial Presiding Officer, getting a bit anxious about it — I delayed the agreement to the Mitchell Report because I was concerned that there was still the possibility of those who supported violence being in the Executive of the Northern Ireland Assembly. I still have those concerns. The Ulster Unionist Party accepts that there is an absence of total trust in this society. I am glad to hear some SDLP Members saying that trust is beginning to grow. That is progress.

I want to make it clear to Sinn Féin — which is the Republican movement because the IRA and Sinn Féin are the same thing — that the UUP is honourable in its dealings. We have no wish to exclude Sinn Féin from office out of spite, though that would be understandable in light of its record. The UUP remains open to new and changed relationships.

When the people voted last year, they were looking forward to a new kind of Administration, embracing the whole spectrum of political opinion in Ulster. But they also voted for an end to violence and the threat of violence. So long as the IRA's arsenal remains intact, the threat remains intact. So long as the threat remains intact, there will be no Executive involving those who retain that threat. I hope that constitutional Nationalism will recognise that and join with democratic parties to proceed without Sinn Féin, if necessary.

Mr Peter Robinson said that the Ulster Unionist Party has a post-dated cheque. He is right. It is not the first time that I have seen a post-dated cheque — and such a cheque will not clear if there is no money in the account on the day that it is presented.

**Mr Haughey:** I commend the report, and I wish to comment on some aspects of the debate.

The most audible aspect of the debate was the merriment, the guffawing, the wisecracking, the sniggering and the chortling from DUP Members and other anti-agreement Unionists. If they are right, and Ulster is being shamefully betrayed, they seem to be getting the most enormous enjoyment out of it. I have never heard such merriment and guffawing. I hope that the media gives an accurate picture of what happened here today because if all this pleading about grievance, betrayal, shameful letting down and sell-out is true, one must question such frivolity. It seems to be the best show in town.

We have heard Mr Carrick of the DUP refer to the polluting of democracy by the inclusion of Sinn Féin in government, according to the terms of the Belfast Agreement. Let him look at his own party. Is it an adornment of democracy to seek to shout down others who have a legitimate point of view; to seek to waste their time by constant interruption; to seek to put them off their stroke by constant heckling and guffaws? I do not believe it is.

To more important matters. This agreement is an attempt to move away from a "majoritarian" approach to government in Northern Ireland, an approach which has characterised government through much of this state's existence. Indeed, that "majoritarian" approach was at the heart of the conflict. We are trying to move away from that towards a consensus system of decision-making and government.

This is a painful transition for many people. It is painful for Unionists in view of this community's history, but I believe that a majority of Unionists now accept that there is a need to move from a majority approach to decision-making towards a consensus system of government and partnership. But the views of many anti-agreement Unionists are entirely incoherent on this whole matter.

For instance, Mr Gregory Campbell and others were suggesting a few minutes ago that more than 50% of Unionists opposed the agreement. Quite apart from whether it is true or not, and I do not believe that it is, implicit in what he has said is an insistence that the legitimacy of this agreement depends upon the support of a majority of Unionists.

But what about the support of a majority of Nationalists? Mr Campbell and other anti-agreement Unionists are entirely silent on that matter. Do they accept that if there is to be agreement about how this society is run that a majority of Nationalists must give their consent? Do they even accept that any Nationalist must give his consent? I have observed these Colleagues, and it is clear that they do not accept this simple principle. Consent, according to some, applies only to Unionists; it does not apply to Nationalists at all.

Mr McGimpsey was eloquent on the question of consent. Consent does not just apply to the question of North/South relations; it applies to the question of relations within the North, as it does to the whole question of relations in any society. No form of government is legitimate when it does not have the consent of the majority of its citizens, or where significant sections of the community are either deliberately, or by whatever means, excluded from the business of government.

This brings me to the question of negotiation, which has arisen during the debate with allegations of poor negotiation on the part of one party or another. It sometimes seems that articulating one's demands and then handcuffing oneself to them is what negotiation is about. It is not. Negotiation involves arguing one's case and accepting that others can argue their case with equal sincerity.

Negotiation involves the identification of areas of common ground, trying to build on them, trying to find ways around areas of disagreement, and finding some way of breaking deadlocks over issues that are extremely difficult. Ultimately, agreement is always possible if there is all-round consent — whether given wholeheartedly or begrudgingly.

When Mr Adams and others mentioned inward investment and tourism, my view was the same as theirs. I would have liked to have seen those matters dealt with by some other means — Sean Neeson presented the same view on behalf of the Alliance Party. But those were not the only matters on the table; a whole range of matters were being discussed, and it is axiomatic that no party can get everything its own way. Bearing in mind the aims we set out with, we were satisfied that the agreement which we have represents the best that we could have achieved. We believe that we got a fairly good deal, but we did not get all that we wanted. We are not vulnerable or liable to criticism for that.

Mitchel McLaughlin is on altogether weaker ground when he accuses the SDLP of a solo run, and of betraying the expectations of the Nationalist group. Mr McLaughlin is not in a position to lecture the SDLP about the expectations of the Nationalist community, because we represent the majority of the Nationalist community. And I take exception to the allegation that we ignored, or bypassed, or did not seek to involve Sinn Féin in the negotiations. No party has made greater efforts to help Sinn Féin get into the political process and help them adjust to the demands of democracy, and I will not listen to criticism in that regard.

I come, finally, to the question of decommissioning — a constant refrain of the anti-agreement Unionists. My party has been consistent about this from the beginning. We took the view that we would not accept

any precondition — other than peace — for talks, for negotiations and for the winning of a peace agreement. We have consistently kept to that position. We now take the view that there are no preconditions for implementing the agreement.

Decommissioning is part of the agreement and, just as there are no preconditions for implementing the formation of the Executive or the formation of the North/South bodies, we cannot accept that there are any preconditions for any part of the agreement — including decommissioning. All parts of the agreement must be implemented, and there are no preconditions. It is not legitimate for any party to say that it will not agree to one part being implemented until all the others are. All parts of the agreement must be implemented, and we will not accept any other view.

I commend this report. It has the great virtue of identifying a firm date for the determination of these matters — 15 February — and for movement on to the next phase of the agreement.

**Mr Wells:** At the risk of being repetitive, the crucial element missing from this document is the word “decommissioning”. Just as Tony Blair said before the 1997 election that the important issues were “Education, education, education”, the word that is on the lips of every ordinary Unionist out on the street is decommissioning. Quite frankly, nothing else counts at the moment.

We have been told that 71% of the people voted for this agreement — the number grows every day — and the people who voted for this agreement did so on the basis of a handwritten promise from Tony Blair. That promise was that there would be no question of Sinn Fein/IRA being in the Government of this country without decommissioning.

*5.00 pm*

The Ulster Unionist leader reminds me of the captain of the Titanic. Heading inexorably towards the iceberg — an iceberg called decommissioning — during the talks that led to the agreement, he told us that the iceberg was a mirage. Before Christmas, we were told that the iceberg was melting fast. Now he is telling us that the iceberg is to be moved. But in the end the one issue that cannot be fudged, and on which there can be no compromise, is the issue of decommissioning. No Unionist worth his salt will accept the presence in the Government of this country of an armed paramilitary group.

What the First Minister (Designate) and Mr Taylor should remember is that militant Republicanism is insatiable. It has a two-pronged strategy. A former member for mid-Ulster in a previous Assembly, Mr Danny Morrison, used to talk about holding an

Armalite in one hand and a ballot box in the other. The strategy of Sinn Fein/IRA is that, having squeezed all the benefit they can out of the Armalite approach, and pocketed those gains, they now move on to the ballot box strategy, to extract maximum benefit from that. When they have achieved maximum benefit from that strategy, then they will move back to the Armalite. That is why they need to keep the weapons — they are going to use them again.

There are thousands of ordinary, decent people in the Province who do not wish to accept a return by Sinn Fein/IRA to a campaign of murder after they have squeezed the maximum concessions out of this process. Let us look at the concessions that have already been secured. Two hundred and thirty terrorist prisoners have been released; the Patten Commission on the future of policing has been set up to demoralise the RUC and to make it acceptable to Republicans, weakening the force by taking away its weapons and removing all the essential elements of the RUC as we know it. These concessions have already been made. But, eventually, Sinn Fein/IRA will go back to what they know best. They have not gone away, you know. They will go back to killing.

We need to remember the consequences of the Armalite campaign. As representative for South Down in the previous Assembly, between 1982 and 1986, I had the sad duty of following the coffins of 13 members of the RUC, murdered by Sinn Fein/IRA. We should remember the gruesome facts. In the case of two of those policemen there was so little of their bodies remaining that concrete blocks were put in their coffins to convince their widows that they contained the bodies of their husbands. But there were no bodies. All that was left of one of the policemen could have been put into a plastic carrier bag.

I am convinced that there are people in the Assembly who know who committed those acts and hundreds of other terrorist acts. On many occasions, they may have committed them themselves. And yet we are being asked by the First Minister (Designate) to accept the people who committed those vile deeds into government, without them having given up the rust on the barrel of one gun. Our answer to that is “Never!”. We will never accept that.

Mr Irvine said that we will lose our salaries and our positions as Members. I do not care. The people of South Down elected me to this House to oppose this process. If that brings the Assembly down, then so be it. We are here to represent the people who elected us.

**Mr A Maginness:** The Member talks about bringing down the agreement. Would he not agree with me that the only real chance of getting decommissioning is through the agreement? There is no other way.



**Mr Wells:** Mr Maginness is putting the cart before the horse. There can be no settlement without decommissioning, and that is fundamental. How can he and the other members of the SDLP trust any organisation to sit in the Government of this country when it is known to have an armed militia at its command? If that is allowed to happen, and the Members for Mid Ulster and West Belfast get their two seats in the Executive, how will they deal with important constitutional issues? They will say to the other members of the Executive "There are rough elements in the Republican community, and we cannot control them. If you do not give way, they will start killing and bombing. Rather than see these "dogs of war" back on the streets, you will have to give way and accept our demands."

They will never say openly "We are going to start killing again", but their subcontractors will. As long as they have the Armalites and the Semtex and the rocket launchers oiled and ready for action, that threat will remain, and that threat will be used. The Member for North Belfast, Mr Kelly, tells us that they need these weapons in case a riot breaks out in the Ardoyne; the Loyalists and the Nationalists are stoning each other, and the Nationalists need to be defended. How do you defend the Nationalists of Ardoyne with Semtex? The only use for Semtex is to blow up innocent civilians and members of the RUC and the Royal Irish Regiment. The only reason for retaining Semtex and other vicious weapons is to murder people.

If Unionists were polled once again as in the referendum, there would be a considerable swing against the agreement. I have met hundreds of people who voted "Yes", but who now wish they had voted "No". I have met thousands of people who voted "No" and are glad they did. There is no defection from the "No" campaign to the "Yes" campaign, but there are thousands who are defecting from "Yes" to "No". If that agreement were put to the people today, the outcome would be very interesting.

I could go into the report in depth, but those issues are minor. The only issue is decommissioning, and unless that issue is resolved, the ordinary law-abiding people of this Province will never accept Sinn Fein/IRA in Government.

**Ms O'Hagan:** Go raibh maith agat a Chathaoirligh. I wish to draw the attention of the Chamber to paragraph 3.7 of today's report, which states

"It is now our clear intention, having agreed upon the architecture of Departments, to move with urgency in seeking to address the social, economic and cultural challenges facing the whole community. We want to agree upon and implement a programme for government ... We want to address the needs of the most vulnerable and disadvantaged; we want to imbue the community with a sense of enterprise and self-reliance; we want to tackle educational disadvantage ...; we want to put behind us the tragic

years of trauma and separation by providing the best possible form and programme of government."

There is no reason for the Assembly's not moving to do all of these. The problem is the inertia of the Ulster Unionist Party. The problem is that Unionism of all shades still cannot conceive of dealing with Nationalism on a basis of equality. We see this starkly in Portadown, where Nationalist residents have been subjected to a seven-month campaign of intimidation and threat by the Orange Order. Many Members of the Assembly belong to that organisation. There are people in this Chamber who have been involved in gatherings in Portadown which have gone well beyond the boundaries of legitimate protest.

Sinn Fein believes that the situation there has to be resolved on a basis of equality and respect, and that is also how the political process should be driven — on a basis of equality and respect. We are here because of our electoral mandate, and we are entitled to put forward and debate our Republican analysis. The votes of the Sinn Fein electorate are as valid as the votes of every other electorate. Our place in the Executive comes from that electoral mandate and from the Good Friday Agreement, which most of the parties here signed up to. Unionism needs to accept that Sinn Fein has a right to be in the Executive, and if we are not in the Executive, there will be no Executive.

Finally, our objective in all of this is to advance the peace process. This involves us all, every single one of us, in working together, and it involves Unionism implementing the agreement. Mr Trimble has now committed himself to a definitive report and vote on 15 February. On that basis I give qualified support to today's report. Go raibh maith agat.

**Mr Dallat:** I welcome the report and I do so for positive reasons.

I am particularly pleased to see that emphasis has been placed on trade and business development because that is the way forward. In a global economy where there is a marked shift from traditional industries such as textiles and engineering to a weightless economy supported and driven by knowledge-based companies, it is essential that we do everything in our power to ensure that the transition is smooth.

Everyone must benefit from the enormous wealth generated by the new industries that have transformed the economies of the United States of America and of many other parts of the developed world. That can only be done on an all-Ireland basis, and for that reason I welcome the proposal to set up an implementation body dealing with trade and business development.

The report lays out very clearly the practical steps which must be taken to ensure that the Assembly delivers on behalf of the people of Northern Ireland. I



think particularly of those who have no jobs and of those whose jobs are threatened by very significant changes taking place in the industrial world. Even as we debate this report, American companies are packing their bags to come to Northern Ireland to seek out business opportunities. Two such groups will visit Coleraine in the next few weeks, and they are coming because we promised them everything a modern progressive company seeking a gateway into Europe wants. They are knowledge-based industries that will create secure jobs well into the new millennium.

Why are they coming? The answer is very simple. They are coming because they believe that we have settled our political differences by signing the Good Friday Agreement. They were influenced by the 11-cities-tour visits by the First and Deputy First Ministers (Designate), and they were further influenced by a follow-up visit organised by my council in Coleraine. I was pleased to be accompanied by my Colleague on the opposite bench, David McClarty.

I must also tell the DUP that we were accompanied by the DUP Mayor of Coleraine, who enthusiastically endorsed the political progress in the North, and we are grateful to him for that. I hope that when those American visitors come to Coleraine in the next few weeks Gregory Campbell and others will turn up and wish the visitors “Cead mile failte” because there is high unemployment in Coleraine, and the people there have a right to a future. Certainly, the performance in that corner today gave no hope to anyone watching it in the wider world.

Everything that I have said is possible, but only if there is political stability, and that will not happen if the Assembly does not make progress. The people whom we represent are depending on us to deliver, and so far we have not done enough.

5.15 pm

In Lewis Carroll’s classic work ‘Alice’s Adventures in Wonderland’ the king calls for the sentence and then the verdict. I hope that Members are here to listen to each other, and to be persuaded before making up their minds about the merits of the report. It confused ordinary people to hear political leaders dismissing the report before it was even published, never mind debated. I hope that our business is taken more seriously than ‘Alice’s Adventures in Wonderland’. We are in the real world, and it does not suffer fools gladly or condone the type of behaviour that we saw today.

The political face of Europe is changing rapidly with the enlargement of the European Union. Our status as an Objective 1 region is ending. An implementation body to deal with special EU programmes is essential if we are to continue to benefit from European membership. The border regions in particular depend

on cross-border initiatives such as INTERREG, Leader and other programmes. Those issues can only be addressed effectively if we work together.

A Department dealing with agriculture and rural development is an exciting proposal that will enable us to deal with many of the serious issues that affect many of our citizens, and particularly those in rural areas. Agriculture is in a mess and has been badly handled by direct rule. A Ministry to deal specifically with the special needs of farming will provide real opportunities for the industry.

I welcome the recognition of the importance of rural development because it will not only be the farming community which benefits from political progress in that area. People who live outside urban areas have particular needs which can be addressed through rural development.

During the last 30 years, there have been many significant changes in the structure of our rural communities. They have suffered badly as a direct result of the troubles, and many are in decline. Country schools have closed or have been threatened with closure, and a range of community structures has disappeared. Even as we speak, plans are being set in motion to wipe out the Action for Community Employment scheme that had done so much for economic regeneration and community support in rural areas. A Department for agriculture and rural development is essential if we are to address the needs of the people who live in country areas.

People need skills to avail of new job opportunities in a modern world driven by knowledge-based industries, and I welcome the plan to separate higher and further education and link it to training and employment.

Over the years many people have been disadvantaged as a direct result of the troubles. Many have missed educational opportunities and women, in particular, have been the victims of a society that has not addressed the issue of equality in relation to education and training.

Colleges of further education, which were the driving force in the past to provide education and training for ordinary working people, have been misdirected into a world of money-making schemes which have shifted the focus away from the people who depend on them most. In the past, the technical colleges, as they were known, provided countless opportunities for people who had been rejected by the grammar school system. Those colleges must be the backbone of a new world of higher and further education where the skills they teach are directly linked to a new environment, based on information science and technology.

Many issues in this field were ignored in the past, and they can be tackled only if we have the political commitment to put our house in order and begin the process of providing stable government. We can do that, provided we are not like the king in 'Alice's Adventures in Wonderland' who demanded the sentence before the verdict.

The honeymoon is over. The work of the Assembly must begin in earnest.

The people who elected us are beginning to despair. They do not understand why we are holding back, and they are worried that the political initiative will revert to the lawlessness of the past. No one wants that. It cost too many people their lives and their limbs.

The report is very welcome, but it is disappointing that more progress has not been possible. Let us renew our efforts to find a way forward which replaces fear by trust, hate by love, divisiveness by unity. We have listened to the politics of failure for too long. We are sick listening to the prophets of doom who have done so much to land us in the mess we are in. It is time to move forward and to give our people hope for the future and life after the troubles.

When the American industrialists and business people arrive in Northern Ireland in the next few weeks they will undoubtedly ask about political progress. I do not want to have to tell them that we have failed — and failed the people we represent. I do not want to have to tell them that we had the verdict first and then the debate.

**The Initial Presiding Officer:** Mr David Hilditch.

**Mr J Wilson:** Mr Initial Presiding Officer, I beg to move that the Question be now put.

**The Initial Presiding Officer:** A Member has moved that the Question be now put. This is the first time we have had a closure motion under Initial Standing Order 11(1), which says

"After a motion has been proposed and provided that each of the parties present has had a reasonable opportunity to contribute to the debate, any member who has not spoken to it, or to any amendment which has been moved, may move that the question be now put; and unless it shall appear to the Presiding Officer that such motion is an abuse of these Standing Orders, the question that the question be now put shall be put forthwith, and decided without amendment or debate."

There are a number of questions. First, has the Member who has moved that the question be put spoken in the debate? I believe he has not. Secondly, have all the parties present had a reasonable opportunity to contribute to the debate? The Assembly has been debating for almost five hours now, and approximately 30 Members have spoken. That is a question which I must answer before I put it to the Assembly for a decision. Any vote will be by simple majority.

**Mr P Robinson:** The committee which advises you has set aside three days for the debate. It was deemed by the committee that, unless there was going to be excessive voting, if it was possible to close it off by Tuesday night then you would do so. Every party left the Committee to Advise the Presiding Officer meeting with a clear understanding that they were to organise their troops for a two-day debate.

If there had been any indication that there would be a one-day debate instead of a two-day debate, there would have been a different order of speaking. This clearly allows those who were aware that this would be their tactic to order people in the fashion which suits that tactic. You clearly indicated to the parties that there would be a two-day debate, and the DUP has summoned its Members on that basis. It would be completely inappropriate for you to change the rules at this stage of the proceedings.

**Rev Dr Ian Paisley:** Your statement this morning made it clear that this debate would run for two days. The Ulster Unionist Party did not raise the question of a vote at this time with me although they may have raised it with the SDLP. I was entitled to know if there was going to be a vote at this time. In any debate in the House of Commons the party leaders are informed of the likely times for moving a closure. It seems very strange to me that the Ulster Unionist Party cannot stand the heat.

They want to close it down. I suggest, Mr Initial Presiding Officer, that if you rule to close the debate, you will do a great disservice to the many Members who came here and sat through this debate, knowing that tomorrow they would be called.

**Mr C Wilson:** On a point of order, Mr Presiding Officer.

**The Initial Presiding Officer:** The Member may only speak if it is a point of order. The Standing Orders are very clear that the closure of a debate is not open to debate. If the Member is making a point of order, I will take it, although the taking of a point of order in the context of a point of order is stretching the point. But I will take it if it is a point of order.

**Mr C Wilson:** It is a point of order. It would be a travesty of the proceedings of this Institution — and it would be greatly resented by the majority of the Unionist community — if you were to bring a guillotine down upon this debate. Mr Trimble and his Colleagues should think long and hard before they agree to this because they will have, at some stage, to face the pro-Union electorate.

**The Initial Presiding Officer:** The word "ambush" rather than "guillotine" may be more appropriately used here. It is my experience, limited though that may be, that such events are often the source of some

displeasure to those who find themselves on the wrong side of the ambush. The Standing Orders present me with a dilemma. Some Members still clearly wish to speak, and they understood that there would be an opportunity for them to speak when they came here — that is clear.

On the other hand, the Standing Orders are also clear: if there is a reason to believe that parties who are present have had a reasonable opportunity to put forward their views, a Member who has not spoken has a right to move that the Question be put. Then it is for the Assembly to decide. The only decision that I am permitted to make — and it is a decision that I am required to make — is on whether to put the Question that the Question be put to the Assembly.

In this context I have no alternative but to put the matter to the Assembly. Let me be clear so there is no misunderstanding: if the Question that the Question be put is carried by the Assembly, and it will just need a simple majority to carry it, then we move immediately to a vote on the amendment — if Dr Paisley wishes to move it — and then to a vote on the substantive motion, if the amendment is not carried. I will deal with the matter of the substantive motion when we get to it, but there will be no further debate. Is that understood?

**Rev Dr Ian Paisley:** Further to that, Mr Initial Presiding Officer, surely the important wording is “if it is reasonable”. You have to decide that. You cannot put the Question to the Assembly unless you think it is reasonable to do so. You have to make that decision; you cannot get away from it, for that is the responsibility of the Chair. If you put the Question, you are saying that it is reasonable that each party has had a fair share, in spite of the fact that you and your Committee announced this morning that we would be having a two-or three-day debate.

**The Initial Presiding Officer:** I have tried to give the reasons as best I can. There is no reasonable option for me but to take this decision. I do not shy away from difficult decisions.

Question put: That the Question be now put.

The Assembly divided: Ayes 75; Noes 22.

#### AYES

*Gerry Adams, Ian Adamson, Pauline Armitage, Billy Armstrong, Alex Attwood, Roy Beggs Jnr, Billy Bell, Eileen Bell, Tom Benson, Esmond Birnie, P J Bradley, Joe Byrne, Joan Carson, Seamus Close, Fred Cobain, Robert Coulter, John Dallat, Ivan Davis, Bairbre de Brún, Arthur Doherty, Pat Doherty, Mark Durkan, Sir Reg Empey, David Ervine, Sean Farren, John Fee, David Ford, Sam Foster, Tommy Gallagher, Michelle Gildernew, Sir John Gorman, Carmel Hanna, Denis Haughey, Dr*

*Joe Hendron, Derek Hussey, Billy Hutchinson, Gerry Kelly, Danny Kennedy, James Leslie, Patricia Lewsley, Alban Maginness, Seamus Mallon, Alex Maskey, Kieran McCarthy, David McClarty, Donovan McClelland, Alasdair McDonnell, Barry McElduff, Alan McFarland, Michael McGimpsey, Eddie McGrady, Martin McGuinness, Mitchel McLaughlin, Eugene McMenamin, Pat McNamee, Monica McWilliams, Francie Molloy, Jane Morrice, Mick Murphy, Sean Neeson, Mary Nelis, Dermot Nesbitt, Danny O'Connor, Dara O'Hagan, Eamon O'Neill, Sue Ramsey, Ken Robinson, Brid Rodgers, George Savage, Duncan Shipley-Dalton, Rt Hon John Taylor, John Tierney, Rt Hon David Trimble, Peter Weir, Jim Wilson.*

#### NOES

*Fraser Agnew, Paul Berry, Norman Boyd, Wilson Clyde, Nigel Dodds, Boyd Douglas, Oliver Gibson, William Hay, David Hilditch, Roger Hutchinson, Gardiner Kane, William McCrea, Maurice Morrow, Edwin Poots, Iris Robinson, Mark Robinson, Peter Robinson, Jim Shannon, Denis Watson, Jim Wells, Cedric Wilson, Sammy Wilson.*

Question accordingly agreed to.

**Mr O'Connor:** On a point of order, Mr Presiding Officer.

**Rev Dr Ian Paisley:** On a point of order, Mr Presiding Officer.

**The Initial Presiding Officer:** I will take Mr O'Connor's point of order first and then Dr Paisley's.

**Mr O'Connor:** Mr Initial Presiding Officer, is it not the case that the doors are meant to be locked once the vote starts? Dr Paisley and Mr Paisley Jnr came in during the vote, yet I was not allowed to come in during the vote on the last day the House sat because you had ruled accordingly. I would like you to clarify that position.

**The Initial Presiding Officer:** The position is entirely clear. When I ask for the doors to be made fast by the doorkeepers, I mean precisely that. I cannot immediately rule on the point of order you raise because I shall have to make enquiries. You have my undertaking that I will enquire about the matter.

**Several Members:** On a point of order, Mr Presiding Officer.

**The Initial Presiding Officer:** Dr Paisley and then Mr Paisley Jnr.

**Rev Dr Ian Paisley:** Mr Initial Presiding Officer, there is no reference about locking doors in the Standing Orders, and you far exceed your authority if you say that you can lock doors when there is nothing



in the Standing Orders about that. We are going by Standing Orders which we did not draw up — the Secretary of State drew them up — and they do not say that the doors should be locked. I came when the vote was about to take place, and I was told I could not get in.

There were two men at the door saying to a Member that he could not get in. You know very well that in the House of Commons any Member can go in to vote at any time if he is going through the House and through the Lobby doors. Those doors are not locked until the Members are in to vote.

**A Member:** Eight minutes to get through?

**Rev Dr Ian Paisley:** Eight minutes.

**The Initial Presiding Officer:** Let me say a number of things. First of all, I cannot pronounce about the House of Commons, but I am certainly aware that in the House of Lords the doors are locked. *[Interruption]*

I am quite aware from the tenor of the discourse that this is not the House of Lords.

One of your colleagues asked about the length of time allowed in the House of Commons. Eight minutes is, of course, correct. The time given to reach the Chamber here is very short — it is much longer in other places.

I have drawn this matter to the attention of the Standing Orders Committee because we would be very ill-advised to draw up our own Standing Orders yet keep the time so short that it was difficult for Members to get from all parts of the building.

5.45 pm

I have been asked whether I have the authority to order the fastening of doors. I do not say this to extend my own authority, but 2(1) Standing Order states

“The Presiding Officer’s ruling shall be final on all questions of procedure and order.”

It is necessary to fasten the doors because we do not have a Division Lobby procedure where Members can go through and out. The exercise should not surprise Members because it was followed at previous sittings.

I have said that I will make enquiries about the matter. I am sorry that Members feel that they have been caught out, but the procedure seems to be an appropriate way to work. If the Standing Orders Committee takes the view that this is not the way that it wishes to conduct matters, I will be glad to hear about that.

**Mr P Robinson:** Further to that point of order, Mr Initial Presiding Officer. The Standing Order that you

quoted in reply to Dr Paisley refers to your ruling on questions arising from the Standing Orders. You therefore have to make rulings on the basis of these Standing Orders. Which Standing Order suggests that doors can or should be locked at any time? You must rule on the basis of the Standing Orders and nothing else.

**The Initial Presiding Officer:** That is incorrect. I made it quite clear, and it was never disputed by any Member of the Assembly, that the Initial Standing Orders were inadequate. I further indicated that I would base rulings thereafter on my understanding of the Initial Standing Orders, the draft Standing Orders put forward by the Standing Orders Committee and Erskine May.

There was never any dispute about my being able to use other than the Initial Standing Orders. Indeed, several Members from a number of parties have discussed the matter of how Erskine May might be applied. I am not restricted to these Standing Orders as they are inadequate for this task. If there is a problem about making fast the doors — and I have yet to hear what the problem is — I will be happy to hear about it from Members and to look at the question again. These Standing Orders are not adequate for the running of the Chamber. That is why I have indicated that I will refer to other matters as well. There has been no objection until now.

**Several Members:** *rose.*

**The Initial Presiding Officer:** Order. It seems that there needs to be a keeping of order on the order. Mr Paisley Jnr rose, followed by Mr McCartney and Mr P Robinson.

**Mr Paisley Jnr:** Why is it right for Members to be locked out when there is no specific rule in the Initial Standing Orders to allow that? Are the alleyways for voting part of this Chamber? Dr Paisley and I were in that Lobby and were entitled to come into the Chamber from there.

**The Initial Presiding Officer:** I have already given a ruling on the first matter, and have indicated that I am undertaking an enquiry into it. It shall become clear where Members are or are not and whether they might vote or not.

**Mr McCartney:** Mr Initial Presiding Officer, before I left the building at 5.00 pm I asked your Clerk, Mr Carson, approximately how many Members had yet to speak. I also asked the deputy leader of the DUP, who said that the figure was some 12 to 14 Members. I understand that you had set aside Monday, Tuesday and possibly Wednesday for this debate. I have only now been informed that a Member who has not spoken in the debate may move a motion to the effect that the Question be now put.



**The First Minister (Designate):** It has been carried.

**Mr McCartney:** I know it has been carried, I do not need to be told that. I am on a point of order, so perhaps this chattering monkey would keep quiet.

**The Initial Presiding Officer:** I am not clear on the point of order. The Standing Orders make it quite clear that such a procedure is possible. As an experienced parliamentarian, Mr McCartney must know that.

Secondly, I am astonished that some very experienced parliamentarians should be unaware of the political tactic of an ambush. I suspect that they have taken part in such things, and I am astonished that this issue is being raised as a point of order.

**Mr McCartney:** Mr Initial Presiding Officer, could I —

**The Initial Presiding Officer:** We have already raised a point of order.

**Mr McCartney:** I have not completed mine. You asked me to sit down, and I sat down.

**The Initial Presiding Officer:** I asked you to sit down because I was not clear about the point of order. It is not an occasion for a speech. I will allow your point of order, but I am not clear what it is.

**Mr McCartney:** You speak of an ambush. I spoke to Mr Nigel Carson, who said that he could not give me a time at which it would be quite safe to leave the Chamber, but that he would inform me after the procedure had occurred. Mr Carson was clearly aware that something of the nature of a closure motion would arise.

**The Initial Presiding Officer:** I am still not clear about the point of order. I am clear that it is generally regarded as, at best, discourteous, if not out of order, for questions to be raised about officials or civil servants, who are not in a position to answer for themselves.

**Mr P Robinson:** I want to finish with the points of order that have been raised in relation to the voting Lobby and whether doors are locked. I have another quite serious, separate point of order.

It would be absurd for the voting Lobby to be considered as anything other than part of the precincts of the House for the purposes of voting. If my two colleagues were in the Lobby, how could anybody conclude that they were not entitled to take part in the vote?

Secondly, if three minutes are to be given before a vote is registered, may we please have a clear ruling, whether we like it or not, on what time the doors will be locked? Is it at the end of the three-minute period and before the register is read, or is it at some point during the three minutes?

**The Initial Presiding Officer:** I have undertaken to enquire into the point of order that was raised by Mr O'Connor. It seems to me that that legitimately extends to a number of issues, some of which Mr Robinson, the Member for East Belfast, has referred to. Questions such as whether Members are inside the confines of the Chamber when they are in the voting Lobby will have to be determined. However, I remind Members that the Lobbies are not presently in use because there is no option to use them under the Standing Orders. The new draft Standing Orders indicate that that may be a possibility.

There are further questions as to whether, for example, a Member who was in the Gallery would be in the confines of the House. Those are legitimate questions, and, as I have agreed to explore that matter, it will have to be looked at as well.

There seems to be an extraordinary eagerness to make points of order. *[Interruption]* I have not completed what I have to say, and until I sit down it is clearly out of order for other Members to stand.

On the further question asked by the Member, I cannot give him a ruling on the first matter, but I have given a fairly clear ruling on the other matters. Regarding the timing for making fast the doors, the clock will have shown that, three minutes from the time when the matter was raised, I called for the doors to be made fast. We then proceeded to take a vote. I trust that is clear.

**Mr C Wilson:** Mr Presiding Officer, is it in your remit to call for an adjournment of this matter? As a member of the Committee to Advise the Presiding Officer, I wonder if it is worthwhile continuing to have such a Committee. We spent many hours with all the parties agreeing a procedure and conditions for debate, only for it to be overturned today.

Also, would you allow Mr McCartney the opportunity of withdrawing his comment about the Clerk to the Assembly, whose integrity he has impugned?

**The Initial Presiding Officer:** It is helpful for you to suggest that I give Mr McCartney a chance to speak, but I suspect that he can probably speak for himself on these matters.

With regard to the other questions you raised about the discussions of the Committee to Advise the Presiding Officer, you will be aware that it is not always possible to reach full agreement — for instance, even the recognition of parties is not something that comes with unanimous agreement, but one has to do one's best.

Before I take the next point of order from the DUP, I would remind Members that we have an Adjournment

debate scheduled with six Members who are prepared to speak. It would be most inappropriate to call them back tomorrow should it be clear that we are going to move on to further votes. I propose at this stage, unless the points of order last for an extraordinary length of time, to complete the business this evening.

**Mr Wells:** Further to the points of order raised by Mr C Wilson and Mr McCartney, while I do not want to cast any aspersions on the Clerk, at some stage this afternoon, Mr Initial Presiding Officer, you must have been aware that there had been a change to the Order Paper. When was that change made, and when were you aware that there was going to be a vote? When did you convey that information to the Chief Whip of my party and those of the other parties?

**The Initial Presiding Officer:** The Member's party leader will know that what you are doing is inappropriate. A discussion with him afterwards might be a good idea.

**Mr Ian Paisley Jnr:** On a point of order. Initial Standing Orders 11(1) says

"after a motion has been proposed and provided that each of the parties present has had a reasonable opportunity to contribute to the debate".

Can you tell us how you came to the conclusion that there has been "a reasonable opportunity to contribute to the debate" for all the parties? Some parties have had over 50% of their Members speak while other significant parties, like my own, the third largest party, has had less than 40% of its Members speak. How can that be considered a reasonable way in which to proceed with the business of this House?

6.00 pm

**The Initial Presiding Officer:** Given that I have to adhere to the Order Paper, I try to keep the best balance that I can. When the Question is put that the Question be now put, I have to look at the number of Members who have spoken. I attempt, as time goes on, to ensure a reasonable balance, and I can tell the Assembly this: we have been in debate for around five hours, over 30 Members have now spoken, and all parties in the Assembly have had the opportunity to put forward their view. I am well aware of the strong feelings that are engendered when one party, or more than one party, is, in parliamentary terms, ambushed.

This is how I reached my judgement, but I do not suppose that it will satisfy everyone.

**Rev Dr Ian Paisley:** Further to that point of order and to the ruling that you have given, Mr Presiding Officer, I would like you to amplify it so that we know exactly what is happening. I have been a Member of the House of Commons for 30 years, and I have heard Members attacking the Clerks of the House about

whether notices have been put to him at the correct time. I want to know whether our Clerks are going to be under the same regulations as the Clerks in the Mother of Parliaments, or are we not allowed to mention their names? In the Commons the Clerks are servants of the House, and any Member can raise publicly matters that are relevant to them.

I believe that your ruling comes from the custom in the House of Commons that Members do not attack civil servants since they merely do the work of their masters who are essentially those in Government. That, however, does not extend to the Clerks of the House. They are the servants of the House, and when their work does not please a Member, that Member has the right to raise the matter publicly and criticise what they have done.

Mr McCartney made a statement about the Deputy Clerk, and he is responsible for that statement. But the general issue is a very serious one. Is this House to have Clerks who can do as they like without fear of public criticism from Members?

**The Initial Presiding Officer:** The Member is well aware that that is not what I am saying. I am not suggesting that anyone in this House is beyond reproach. What I am saying is that there are appropriate ways of doing these things. You must understand that I feel a responsibility, not only to the Assembly, its Chamber, proceedings and Standing Orders, but to the staff as well.

All sorts of questions may be raised, especially in the later part of the day when points of order are raised in this way. But when something is bounced in respect of the Deputy Clerk, I am sure you will understand that I am fearful of officials being dragged into what is essentially a political dispute among the parties. Even in other places, there exists a general feeling that for officials, including the Speaker, to be dragged into party political debates is improper.

**Mr McCartney:** I have a point of order which relates to the statement that you have just made. I accept that you have to make a ruling and that, unless there is an exceptional circumstance, such as I believe occurred here, no criticism should be made of an official.

It was open to you, Mr Initial Presiding Officer, to issue a warning that if there came a point at which you were happy that all sides had had sufficient opportunity to argue their case, and you were asked by a Member who had not previously spoken to put the Question, the Question could be put.

However, by way of indirect apology, if that is what is required, I would have to say that I approached the Clerk and told him that I had a pressing engagement which might take me away from the House for an hour.

I asked for some indication of the likelihood of a vote. I treated the official with proper respect. He is a servant of the Assembly, and I, as a Member, am entitled to ask him for advice on matters which are within his area of responsibility.

The point that I am making is that the Clerk told me that, despite the fact that there were 12 or 14 Members still listed to speak in the debate, it might not be opportune to leave the House even for such a short period, and that he would advise me further as to the reasons for this. All of this would appear to suggest that the Clerk was aware that, despite the fact that there were 14 Members still waiting to speak, some kind of guillotine was about to be imposed. In those circumstances, Mr Initial Presiding Officer, you have a duty to inform Members that this kind of thing is about to happen and that Members would be well advised to stay in the House.

**The Initial Presiding Officer:** With regard to the Member's dealings with the Deputy Clerk, I do not know precisely what was said, but I will look into the matter.

With regard to the Member's other point which appears to suggest that the Presiding Officer should constantly be reminding Members about the detail of Standing Orders, I have to say that this is not the responsibility of the Presiding Officer. I have done my best to give guidance to the Assembly as to the meaning of particular votes, and so on. I intend to do that when we come to the next item concerning whether or not Rev Dr Ian Paisley will move his amendment. I do this in order to ensure that the Assembly is not uncertain, at any given point, about the precise matter on which Members are voting. But I think you are asking rather a lot of me in respect of your other request.

**Mr P Robinson:** I raise this point of order with considerable caution. I am not accusing the Clerk of anything — he works under your direction — but some Members feel that the Chair was aware of the intention on the part of the proposer of the motion to close the debate. As Initial Presiding Officer, you determined that there would be a two-day debate, with a third day if a vote was required. When you did that, you did it in the full knowledge of the number of speeches that could be made in the course of two days' debate. It cannot, therefore, be said that the number of speakers who have taken part in the debate today was reasonable when it had previously been judged that there should be two days of debate on the matter. I ask this because it is not covered by any specific Standing Order, but you will accept the suggestion that it should be covered by Standing Orders.

Some of us feel that, if any circumstances merit a motion of no confidence in the Initial Presiding Officer,

these do. I want a ruling from you as to how such a motion might be put forward.

**The Initial Presiding Officer:** You will recall that when the question of the number of days was raised, the matter of the time to be allowed for each speaker had not been resolved. You shake your head, but that is a fact. Matters did not turn out in the way that a number of Members felt was appropriate. The question is not whether I want the debate to last two days; it is what does the Assembly want. Does the questioner have the right to put forward the question? Does he have the right to seek the views of the Assembly? Those are the questions I must answer.

I made the judgement that the Assembly had the right to govern itself in this matter. I may have been wrong, but 75 Members seem to have believed that that was correct, although 24 Members wished to take things further.

**Mr P Robinson:** That is not the position.

**The Initial Presiding Officer:** If I ask for the views of the Assembly and the Assembly votes 75 to 24, then it seems to me that that is the appropriate action to take. I understand the unhappiness of some Members.

With regard to the final part of your question, my understanding is that the procedure for putting down a vote of no confidence in the Presiding Officer is to put it down as a motion, and I think that is the sort of motion that would need to be considered at the next Assembly meeting. I am making that ruling without there being a relevant Standing Order; it seems to me that it is a matter of such gravity that it could not be dealt with in any other way. It would not be possible for a Presiding Officer to continue if there were a feeling that he had acted in bad faith.

As to what the Presiding Officer knows or does not know, surmises or does not surmise, if it is seriously thought that someone can do this job and serve all the differing enterprises and initiatives in this Assembly without being prepared to keep matters to himself — or herself, in the case of a Madam Speaker — then there is not much understanding of what needs to be done. I try to ensure that Members who approach me are as well informed as possible, and some Members, both individually and as parties, take full advantage of that between sittings. If there is not sufficient confidence in me, it would be quite right to put down such a motion and to find an alternative who would enjoy that confidence. If the Member wishes to discuss the matter with me afterwards, I shall ensure that I am available.

**Mr McCartney:** The point that Mr Robinson has already made is that everyone in this Assembly was aware that this debate was scheduled to last two days. At some time today, Mr Presiding Officer, you became aware that it might be terminated well short of that. As



Presiding Officer, you have to make a judgement that is fair to everyone, but you must have been aware that many Members were making inquiries so as to ensure that they would be present for any vote.

It appears that you must have known that a motion of this kind might be made. Consequently, in justice to all Members and to ensure that there was no misapprehension or unfairness or use of some procedural technique to secure unfair advantage, it was your duty not to babysit Members but to alert them to something that they would not otherwise have been aware of.

6.15 pm

**The Initial Presiding Officer:** The Member, of all the Members here, must know that over the last number of weeks I have been made aware of all sorts of possible developments and changes, and I have treated them in a professional way. I have not broken confidence of any kind. I have done that all through the time here, and for whatever short period I continue, I will continue to do that. However, I fear that what is happening is that Members are mistaking their political disgruntlement for something else completely.

We have taken an extensive number of points of order. We are in danger of breaching the Standing Orders, which indicate that this matter is not a matter for debate. While many of these may indeed be legitimate and understandable points of order, it is beginning to become a debate on the issue. That takes us well outside Standing Orders. I was going to say that I do not think there is any Member asking to give a point of order who has not already given one, but I see Mr Sammy Wilson rising to his feet.

This is extending well beyond the question about points of order. I am prepared to take only two further points of order. The two Members who got to their feet at the same time as myself are both out of order. I will, nevertheless, take them as points of order. First of all, Mr Wilson.

**Mr S Wilson:** With respect, Mr Initial Presiding Officer, first of all, I do not think you can anticipate what I was going to say. You may have anticipated, because you had prior knowledge, what was going to happen at the end of the proceedings today, but you certainly cannot anticipate the point of order which I was going to make, whether it was a new point of order or a follow-on from some of the other ones.

In light of your ruling today and the consequences of that, I would like some guidance from you on the Initial Standing Orders. Under Item 6, the Business of the Assembly, it states that you, the Presiding Officer, will, subject to the provisions of paragraph 5, publish the business for each day.

Furthermore, under 6(3) you should prepare at least twice weekly when the Assembly is sitting and at least fortnightly when in recess a paper listing notices of future business received. I would like some guidance as to whether or not such a document is for the guidance of people like myself and other Members as to when we will be required to attend and when a vote is likely to be taken. That is my understanding of the notice which I am given.

If that is not the case — *[Interruption]* It is a point of order.

I understood that the business which we started today would be carried on tomorrow with a vote being taken either tomorrow or on Wednesday. Other Members, who are not here, worked on that basis. In the light of your decision, may I ask whether the papers we get from you represent an aspiration, a fact or a fairy tale which can be altered on a whim? We have heard frequent references — I have counted three — from Members of the Ulster Unionist Party who talk about the fact that they and the SDLP are working this Assembly.

**The Initial Presiding Officer:** It is clear that a considerable number of Members are completely oblivious to normal parliamentary practice.

First of all, the paper which comes out twice per week giving forthcoming business is not an Order Paper.

The second paper the Member referred to is not designed to let people know when votes may or may not be taken; it merely gives guidance on what is coming up.

The paper that the Member is looking for should be coming from the party Whip. It will tell him the times, the likely votes, the members of his party who should be speaking and leading in debates, and when there will be a one-, two- or three-line Whip and will alert him to situations where either his party or another one may try to ambush. That is the business of a Whip; that is his responsibility. Even though it is not my responsibility, I have tried to advise the party Whips on these matters, and some of them are trying valiantly to ensure that they attend to everybody's needs. However, the matters the Member refers to are not relevant to the Business Office.

**Mr Hilditch:** Having been ambushed and guillotined again, I am asking for a ruling on the putting of the Question. My freedom of speech has been affected. I had been told that I was to speak and was on my feet when I was interrupted. Was the putting of the Question *ultra vires*?

**Rev Dr Ian Paisley:** How is the vote going to take place? Since it is after six o'clock the motion would



have to be regarded as having lapsed. Will the House not have to make another decision as to whether it will carry on its business?

**The Initial Presiding Officer:** The House does not have to take another decision. In the past the House has continued past the appointed hour, and I said earlier that we would be doing so unless the House voted otherwise. I sought the view of the House, and it was quite clear. I will return to one other issue which Mr Robinson raised.

**Mr P Robinson:** Will you look at Standing Order 5

**The Initial Presiding Officer:** I have taken a number of points of order which have been repetitious.

**Mr P Robinson:** This one is not.

**The Initial Presiding Officer:** I intend to proceed.

**Mr P Robinson:** You cannot refuse a point of order.

**The Initial Presiding Officer:** I can refuse a point of order if it is clear to me that what is happening is an attempt to use procedure to foul up the proceedings of the House.

**Mr P Robinson:** Standing Order 5(3) gives the Initial Presiding Officer certain discretion to suspend the sitting for 15 minutes. You are entitled to do that in any circumstances.

**The Initial Presiding Officer:** I am not going to proceed to suspend the sitting for 15 minutes at this point. I am calling for the vote now. Dr Paisley, is your amendment moved?

**Rev Dr Ian Paisley:** Yes, but I wish to ask you one question. You have already said that this House has to decide whether it is going to carry on after 6.00 pm. Why do you not put that question to us?

**The Initial Presiding Officer:** I am sorry but you are out of order. I have to inform the House that if the amendment is carried it will supersede the substantive motion and no further vote will be necessary.

Question put: That the amendment be made.

The Assembly divided: Ayes 26; Noes 74.

#### AYES

*Fraser Agnew, Paul Berry, Norman Boyd, Wilson Clyde, Nigel Dodds, Boyd Douglas, Oliver Gibson, William Hay, David Hilditch, Roger Hutchinson, Gardiner Kane, Robert McCartney, William McCrea, Maurice Morrow, Rev Dr Ian Paisley, Ian Paisley Jnr, Edwin Poots, Iris Robinson, Mark Robinson, Peter Robinson, Patrick Roche, Jim Shannon, Denis Watson, Jim Wells, Cedric Wilson, Sammy Wilson.*

#### NOES

*Gerry Adams, Ian Adamson, Pauline Armitage, Billy Armstrong, Alex Attwood, Roy Beggs Jnr, Billy Bell, Eileen Bell, Tom Benson, Dr Esmond Birnie, P J Bradley, Joe Byrne, Joan Carson, Seamus Close, Fred Cobain, Robert Coulter, John Dallat, Duncan Shipley Dalton, Ivan Davis, Bairbre de Brún, Arthur Doherty, Pat Doherty, Mark Durkan, Sir Reg Empey, David Ervine, Sean Farren, John Fee, David Ford, Sam Foster, Tommy Gallagher, Michele Gildernew, Sir John Gorman, Carmel Hanna, Denis Haughey, Dr Joe Hendron, Derek Hussey, Billy Hutchinson, Gerry Kelly, Danny Kennedy, James Leslie, Patricia Lewsley, Alban Maginness, Seamus Mallon, Alex Maskey, Kieran McCarthy, David McClarty, Donovan McClelland, Dr Alasdair McDonnell, Barry McElduff, Alan McFarland, Michael McGimpsey, Eddie McGrady, Martin McGuinness, Mitchel McLaughlin, Eugene McMenamin, Pat McNamee, Prof Monica McWilliams, Francie Molloy, Jane Morrice, Mick Murphy, Sean Neeson, Mary Nelis, Dermot Nesbitt, Danny O'Connor, Dara O'Hagan, Eamon O'Neill, Sue Ramsey, Ken Robinson, Brid Rodgers, George Savage, The Rt Hon John Taylor, John Tierney, Rt Hon David Trimble, Jim Wilson.*

Question accordingly negatived.

6.30 pm

**The Initial Presiding Officer:** It is clear that the doorkeepers' job is being made very difficult. Let the Keeper of the House note that the doorkeepers have been asked to make fast the doors. It appears that their work is being obstructed. I would appreciate it if the Keeper of the House would free up the doors for them.

Main Question put.

The Assembly divided: Ayes 74; Noes 27.

#### AYES

*Gerry Adams, Ian Adamson, Pauline Armitage, Billy Armstrong, Alex Attwood, Roy Beggs Jnr, Billy Bell, Eileen Bell, Tom Benson, Esmond Birnie, Patrick Bradley, Joe Byrne, Joan Carson, Seamus Close, Fred Cobain, Robert Coulter, John Dallat, Duncan Shipley Dalton, Ivan Davis, Bairbre de Brún, Arthur Doherty, Pat Doherty, Mark Durkan, Sir Reg Empey, David Ervine, Sean Farren, John Fee, David Ford, Sam Foster, Tommy Gallagher, Michelle Gildernew, Sir John Gorman, Carmel Hanna, Denis Haughey, Dr Joe Hendron, Derek Hussey, Billy Hutchinson, Gerry Kelly, Danny Kennedy, James Leslie, Patricia Lewsley, Alban Maginness, Seamus Mallon, Alex Maskey, Kieran McCarthy, David McClarty, Donovan McClelland, Dr Alasdair McDonnell, Barry McElduff, Alan McFarland,*

*Michael McGimpsey, Eddie McGrady, Martin McGuinness, Mitchel McLaughlin, Eugene McMenamin, Pat McNamee, Prof Monica McWilliams, Francie Molloy, Jane Morrice, Mick Murphy, Sean Neeson, Mary Nelis, Dermot Nesbitt, Danny O'Connor, Dara O'Hagan, Eamon O'Neill, Sue Ramsey, Ken Robinson, Brid Rodgers, George Savage, Rt Hon John Taylor, John Tierney, Rt Hon David Trimble, Jim Wilson.*

### NOES

*Fraser Agnew, Paul Berry, Norman Boyd, Wilson Clyde, Nigel Dodds, Boyd Douglas, Oliver Gibson, William Hay, David Hilditch, Roger Hutchinson, Gardiner Kane, Robert McCartney, William McCrea, Maurice Morrow, Rev Dr Ian Paisley, Ian Paisley Jnr, Edwin Poots, Iris Robinson, Mark Robinson, Peter Robinson, Patrick Roche, Jim Shannon, Denis Watson, Peter Weir, Jim Wells, Cedric Wilson, Sammy Wilson.*

Main Question accordingly agreed to.

Resolved:

This Assembly approves the report prepared by the First Minister (Designate) and the Deputy First Minister (Designate).

Motion made:

That the Assembly do now adjourn. — [The Initial Presiding Officer]

**Mr P Robinson:** On a point of order, Mr Presiding Officer. Earlier today your office circulated details about a meeting of the Committee to Advise the Presiding Officer. As a protest against your actions, I am informing you that the DUP does not intend to be present at a Committee which agrees on the number of sitting days only to go back on it so quickly.

**The Initial Presiding Officer:** Thank you for raising that matter, as I should have raised it myself. It has been expressed to me that, at this late hour, it would be best to leave the Committee to Advise the Presiding Officer's meeting at the call of the Chair since there are no pressing issues.

There were eight applications for the Adjournment debate. Two were ineligible and six were successful.

Will those Members leaving the Chamber do so quietly.

## PLANNING: AONBS AND GREEN-BELT AREAS

**Mr Bradley:** When Lord Dubs launched the document 'Shaping Our Future' on Tuesday 8 December last it was welcomed across the board by all those who spoke at the event.

I too wish to be associated with the general acceptance of the draft proposals, particularly the positive references to the plans for the A1 Dublin/Belfast road, and to recognise that, at last, the strategic importance of Newry has been accepted — it is to become one of the seven major service centres. I also welcome the importance attached to Warrenpoint, and the proposal that its harbour plays a key role in the future economics of the eastern seaboard.

However, as a representative for the area that includes the Mourne — an area of natural beauty — and the green belt around Newry and Warrenpoint, I am disappointed that no attempt was made to reverse the never-ending planning problems caused in those areas by the 1993 document 'A Planning Strategy for Rural Northern Ireland'. Indeed, if accepted in its entirety, the 'Shaping Our Future' document will exacerbate for the foreseeable future the problems contained in its forerunner.

This major concern prompts me to highlight the problems that exist throughout the Mourne, in rural areas of south Down and, indeed, in a number of other rural regions represented in this Assembly. I refer to the forced migration that is currently being imposed upon large sections of the rural community as a result of legislation contained in the 1993 rural strategy document.

Also, many of the paragraphs explaining the document's purpose are contradicted elsewhere in the same document — often in the administration of the strategy. For example — and here I am being selective — I quote from the 1993 rural strategy document a number of lines which outline its objectives:

"to meet the future development needs of the rural community" [p 20];

"to facilitate regeneration of the rural economy" [p 20];

"the Strategy is an attempt to meet rural society's development needs and aspirations" [p 20];

"Regeneration activities in settlements in the most disadvantaged rural areas will be co-ordinated, where possible, with the actions of the Department of Agriculture, to achieve maximum benefit from the settlement and its rural hinterland" [p 25].

The dwelling house must

- "a. exhibit all the essential characteristics of a dwelling house;
- b. be in use, or have last been used, as a dwelling house;
- c. be in the ownership of the applicant."

However, this chapter has a sting in the tail. A further condition states that the property to be replaced must

“be occupied or capable of occupation with minor renovation”.

This clause has been used time and again by planning officers at site meetings, as they explain that the refusals are in keeping with the policy outlined in this section of the planning strategy.

An examination of the number of recommended refusals is a good indication of the problems created by the document. For example, in the area south of a line drawn between Newtownhamilton and Downpatrick, in Newry and Mourne District Council, and in large sections of the Banbridge and Down District Council areas, there have been approximately 1250 recommended refusals during the 20 months of the current local government term. Of these refusals, 610 relate to the Newry and Mourne area alone, and a very high percentage of those relate to rural applications. No doubt, Members from other rural constituencies will produce figures for their areas if the matter is ever debated in the House.

The document prohibits some owners of smallholdings from giving a son or daughter a little garden or corner of a field that would suit perfectly and could be utilised as a building site.

I do not seek the transformation of prime agricultural land or heather-clad hillsides into an urban sprawl. And I know that the vast majority of the applicants that I refer to would have no difficulty in accepting environmentally friendly conditions, such as restriction on size and design, seclusion or external decor that the planners often place — as they should — on approved applications.

The present planning legislation has many wider implications, none greater than the closure of country schools due to lack of numbers. These numbers could be maintained were planning approvals to be granted in the catchment area of these long-established and greatly acclaimed rural seats of learning. I am aware of a number of primary schools that were forced to close their doors in recent years, mainly through lack of numbers. What kind of policy is it that claims to be concerned with our heritage but which simultaneously leads directly to the closure of rural schools?

The current legislation compels many young people to live away from home, relations and friends. Not all young people want to live in the countryside, but I am concerned about those applicants who are prevented from so doing by an unsympathetic policy.

Forced migration from rural areas has reached an unacceptable level in many parts and must be urgently addressed. I look forward to the day when planning, and in particular rural planning, becomes the responsibility of those who know the area and understand the needs of the local people.

Many Members have used a song or poem to illustrate their point. Not wishing to be different, I will quote a line from an old Irish song, ‘Galway Bay’:

“The strangers came and tried to teach us their way.”

I often wonder what understanding or real interest strangers such as the Tory Ministers who ruled us for so long and devised and endorsed such documents had in the well-being of the farmers and their families living on 40- to 50-acre, less-favoured holdings. I doubt whether the landed gentry, who came from four or five thousand-acre farms, could relate to the needs of the small farmer here.

Out of curiosity, I checked the interests of the Minister of Environment who signed the Rural Planning Strategy for Northern Ireland document in 1993. I learned that this very honourable and likeable man, whom I had the pleasure of knowing, was interested in wine, cricket and Sherlock Holmes. This illustrates my point and questions the ability of previous Ministers to understand the needs of those who work the fields and hills of the Mournes, the Sperrins or elsewhere in this part of Ireland.

There is considerable sensible thinking in the document about our landscapes and heritage which the ‘Shaping Our Future’ document develops, and many chapters cannot be challenged. However, both publications lost their way somewhat by overlooking the needs of such an important section of society, with the emphasis on policies rather than the needs of the indigenous rural people.

7.00 pm

I make a special appeal to rural communities to challenge, where necessary, the shortcomings in any future documents. The onus is not only on politicians but on every committee and representative body in the affected areas to respond to the Minister’s draft proposal before 15 February 1999, and support the aspirations of their children and their neighbours’ children to live, if they desire, in areas that are their birthright.

I support the view of the Construction Employers’ Federation that a February deadline provides too short a period for serious consideration to be given to submissions. I request Lord Dubs to stall any final decision on the strategy until the matter is fully discussed in the Assembly. It makes sense for the strategy for the future to be discussed and agreed by the

elected representatives in the Assembly if devolved government becomes a reality.

I conclude by addressing those Members who, I hope, will one day plan what is best for rural Northern Ireland. They must commence their deliberations on what they believe to be best for the long established rural dwellers and their offspring. If that matter is addressed in a sympathetic, fair and proper manner, forced migration will be brought to an end. Those of us who represent rural areas which include green belts and areas of outstanding natural beauty know that that day cannot come soon enough.

## NORTHERN IRELAND SPORT

**Mr Davis:** I intend to speak briefly on a subject which, I am sure, will produce no division or animosity. Saturday 9 January has been described as Ulster's glory day. One newspaper asked

"Wouldn't it be great if it could be like this all the time"?

I refer, of course, to the victory of the Ulster rugby team. Mike Gibson, Barry McGuigan, Tony McCoy, Pat Jennings, Mary Peters, Mike Bull, Darren Clarke, Jim McKeever, Jimmy Kirkwood and Eddie Irvine are just a few of the people who have distinguished themselves in the sporting world, and they are all from Northern Ireland.

Despite having a population of only 1.5 million, Northern Ireland has produced an enviable and impressive list of world-class sportsmen and sportswomen over the years. In spite of often difficult and turbulent circumstances, sport attracts much genuine local interest and enthusiasm. For participants and spectators it can be part of an enjoyable normality that is a welcome relief from the troubles in our community. It would be naive to suggest that sport in Northern Ireland has escaped the divisions which permeate our cultural, civic and socio-economic life. Sport in itself is neutral, but in our case it also reflects the society in which it is played.

Northern Ireland has two distinct and, some would say, diametrically opposed cultural communities. Some sports, such as rugby and Gaelic football, are symbols of the two cultural traditions. They are learned at an early age within a largely segregated education system. Sports which do not have such a symbolic link can have such links attached to them by where they are played, who watches them and who organises them. These symbolic roles are reinforced by the flags that are flown, the emblems which are used and the anthems which are played.

Sport should bring people together, regardless of religious background or political persuasion. It is often a means of building solid community relations. I am sorry that Sinn Féin Members are not present because I think that that is why Sinn Féin opposed Donegal Celtic's fixture with the RUC. They opposed the match despite the fact that only four members of the RUC were in the team. Sinn Féin were petrified of the consequences of improved community relations. Although the Donegal Celtic story is old news, it serves as a valuable lesson on what could have been a wonderful opportunity to promote sport as an agent of reconciliation.

The way forward is for sports clubs and associations to recruit from both sides of the community. In sports where one section is under-represented, they could specifically target local schools. Sports can also attempt to be impartial by ensuring that administrators and coaches represent both communities and, where possible, ensuring competition in venues that are acceptable to both communities. A number of initiatives are attempting to build sporting bridges across the community divide. We are entering a new era in Northern Ireland which will require a dramatic shift in how we think and act.

I urge Members to think seriously about the enormous benefits of cross-community sporting initiatives. Northern Ireland has produced a wealth of sporting talent in the past, and we now have an opportunity to tap into a well of talent and promote community reconciliation in the future.

An inaugural meeting between the Sports Council for Northern Ireland and Members of Parliament was held on 27 January 1998 in the House of Commons. Two of the points that I have picked up relate to social benefits. According to a survey, eight out of 10 people from all social and religious backgrounds believe that sport can help to build lasting relationships among people from different religions and social backgrounds. Surveys have also shown that for eight out of 10 people in Northern Ireland, sport has managed, in the face of political instability, prejudice, and intolerance, to be a positive social force.

## DRUGS TASK FORCE

**Mr McClelland:** In recent years, the serious problems of drug misuse and related crime have increased throughout Northern Ireland. Drug misuse has probably affected every area in the North, but in recent months it has eaten into the very fabric of social life in South Antrim. I acknowledge the contribution that was made on this topic at a previous



sitting by one of my fellow South Antrim Assembly Members, Mr Boyd, and I look forward to discussing this issue with him. I hope to return to that during the debate. I am sure that all Members will agree that the drugs problem unites all sections of our society, irrespective of political views.

Last November, a European-wide drug prevention week was launched, at the same time as phase 3 of a public information campaign on drugs by the Health Promotion Agency. The Assembly must send a clear message to the people of Northern Ireland that we will address this issue with determination and commitment. We have all been returned to the Assembly to give leadership to our community. Let us make clear our intentions on one of the most pressing social problems facing our people, whether they live in Belfast, Ballymena, Derry or Armagh.

Every other week, we hear about seizures of drugs and about convictions for possession or intent to supply. Only last October, drugs worth £250,000 were seized in the port of Belfast.

In many of the housing estates in our towns and villages, drug pushing is increasing. Frequently — in Antrim housing estates in particular — it is carried out in the open, in full view of the general public and often with children playing nearby. Communities are being slowly destroyed as drugs poison their areas. Crime is rising throughout the North. A recent report suggests that perhaps 60% of crime could be related either directly or indirectly to drugs. Many people in my area have told me that they are intimidated by gangs who run around housing estates to and from houses where non-stop drugs parties are held and drugs of all sorts are openly available.

Local drug barons are continually looking for new customers. They exploit the young, who are at a vulnerable and critical period in their lives, and introduce them to a drugs culture which creates additional social and emotional difficulties. Unfortunately, some of them are led into crime to feed their habit, and a vicious cycle is created.

The Assembly will soon have responsibility for many of the social and community aspects of life here, and should be able to determine how resources can best be deployed in a campaign against drugs.

*7.15 pm*

I believe that a drugs task force should be set up, with the support of local communities and statutory and voluntary bodies. It could be under the authority of the Assembly and could liaise with the proposed Civic Forum. This body could also take on responsibility for initiatives relating to health promotion and drug awareness.

I acknowledge the efforts of the various agencies involved in work with drugs. Local drugs co-ordination teams have been taking forward programmes specifically tailored to local needs in each of the four health board areas, and I acknowledge in particular, the good work being done in my local board area by the team based in Ballymena, where, according to recent RUC figures, there are approximately 200 people using heroin on a regular basis. These figures are shocking.

As we move towards devolution, the Assembly will need to consider the implementation of anti-drugs initiatives. At present, local drugs co-ordination teams are accountable to the Northern Ireland Office whose policy is directed by the Central Co-ordinating Group for Action Against Drugs, chaired by the Minister of State, Mr Adam Ingram. Currently, responsibility for some areas of drugs policy is reserved to Westminster, but, if we are to tackle our local drugs problem effectively, we will need to consider what role the Assembly can play in order to resolve it. As the elected representatives of the people of Northern Ireland, we will, at some stage, have to play a role in confronting and combating drug abuse.

In the document 'Notes on the Clauses of the Northern Ireland Bill', the section relating to clause 4 reads

"This clause ... enables matters to be moved from the reserved to the transferred category or vice versa by Order in Council amending Schedule 3."

It further states

"Such an Order ... would only be laid in draft if the Assembly has passed with cross-community support a resolution requesting the change."

At some stage in the future, when sufficient confidence in the Assembly has been built up, we will want to see local politicians taking responsibility for the co-ordination of local drug strategies. I firmly believe that we can beat the drugs problem, but we must be focused and realistic in our approach. We should put in place an innovative and properly resourced mechanism to curb and, in the longer term, fully eliminate the drugs problem. It is important that any such mechanisms draw support from all democratic parties.

Quick fix actions which bring people out on to the streets in a kind of vigilante-style response are not the answer. This approach only arouses emotions and adds to the overall problem, and represents only a short-term response driven by populist elements within particular political groupings. Past experience has shown that heavy prison sentences and even paramilitary beatings have not deterred the drug barons and the dealers. What we need to do now is to

build and implement a structured and realistic community response, and Members of the Assembly should take the lead in this.

## MID ULSTER INFRASTRUCTURE

**Mr Armstrong:** At present, Government planning bodies do not appear to give any priority to the needs of the Mid Ulster area, in respect of commerce and tourism.

The M1 leads from Belfast to Dungannon just south of Lough Neagh; to the north of the Lough the M2 leaves Belfast and stops short of Toomebridge. The Glenshane Pass continues to Londonderry and the A26 connects the M2 to Ballymena and the north coast. To the west, the A5 connects Omagh and Londonderry. Where does Mid Ulster fit into this equation?

Mid Ulster has been socially and economically neglected over the years. It seems to be considered unimportant when it comes to health, tourism, industry, roads and rural development. The announcement of an £87 million investment in Northern Ireland's roads is certainly welcome, but Mid Ulster has been overlooked. The roads that are being developed surround Mid Ulster, but none run through the area.

There are more than 28,000 permanent dwellings in Mid Ulster, of which 62% are owner-occupied, 5% are privately rented and 30% are rented from public authority. Two per cent are rented from housing associations or charitable trusts. Unemployment in the area runs at about 18%. There is a higher than average number of self-employed people with no employees, presumably small farmers. Traffic counts on various roads vary from 10,000 to 4,500 vehicles per day.

The A29, which runs from Coleraine to Armagh directly through Mid Ulster, should be examined and developed. If the A29 were improved, the majority of traffic in the area would use it and contributory roads would be less abused. Cash spent on the A29 would be cash saved on the minor roads.

I call for an investigation into development of the hard shoulder along the A29 to facilitate agricultural and other slow-moving vehicles. Policy should reflect the fact that this is a rural area, while also taking into consideration the commercial and domestic vehicles using the road. I recognise that the hard shoulders were not designed for any volume of fast or heavy traffic, but the width of the road is there and could be better utilised to reduce congestion.

Slow-moving lorries and agricultural vehicles could pull in to a reconstructed secondary lane, as is effectively done in other countries. Road junctions could be set back and the new slow lane used as a slipway before joining or leaving the main line of traffic. On the A29 as a whole, some sections are already suitable for heavy, fast-moving traffic, while others need further investment.

The present bottlenecks at King's Bridge, Cookstown and Carland Bridge near Dungannon need to be removed and priority must be given to the construction of bypasses to avoid the town centres of Cookstown and Dungannon. "Park-and-Ride" services could also be provided for the major towns in this area. This would ease congestion at peak times as well as reducing air pollution in the town centres.

If the A29 were further developed, vehicles travelling from north to south across the Province would have a choice of routes. Traffic across Northern Ireland would be more evenly balanced. For instance, someone travelling from Counties Down or Armagh to Londonderry or the north coast could travel through Mid Ulster instead of travelling east of Lough Neagh. This would also ease congestion at Toomebridge.

Mid Ulster is ideally situated for businesses targeting the whole of Northern Ireland. Of the top 1,000 businesses in Northern Ireland 54 are located in Mid Ulster, and 10% of these are situated along the A29. If Mid Ulster were more accessible, industry would be more likely to set up in the region, thus producing more jobs and encouraging people to live in Mid Ulster, as opposed to the cities.

Unemployment in Mid Ulster is significantly higher than the Northern Ireland average, and there is a higher proportion of self-employed men and women. This reflects the large number of farmers in the area. Due to the present depression in agriculture, farming is no longer providing sufficient income for a satisfactory standard of living. An increase in local industry would enable the farmer to travel to work more easily while also managing his farm. With an increase in industry in Mid Ulster, local people would have a greater chance of obtaining local jobs, and that might result in a reduction in the congestion on the two motorways that head towards Belfast. If jobs were within reasonable distance from home, people could stay in Mid Ulster. The area would still be populated and the possibility of attracting tourists would not diminish.

We have to make Mid Ulster more accessible, and we must promote awareness of the beauty of the Sperrins and Mid Ulster area in general. It has also been brought to my notice that five regional tourist organisations have been established in Northern Ireland, yet the Sperrin area seems to have been forgotten again. Mid Ulster has been recognised as an area of

outstanding beauty and an area of scientific as well as historic interest. Mid Ulster provides some of the most varied fishing opportunities in Europe — and that could be developed more. There are also numerous golfing venues and a great variety of outdoor pursuits and indoor leisure facilities.

I hope to see a transformation from the confrontational attitude of those who adopt a “dog in the manger” approach to our traditional parades to one which is more tolerant. The minority culture in the Mid Ulster area must also be protected — some facets of that are only to be seen in rural areas. There must be provision for cultural expression in towns and villages. What a spectacle our respective bands and traditions could provide for visitors from abroad! Mid Ulster has remarkable possibilities for attracting tourism and greater promotion of those possibilities could create more jobs which are much needed in this area.

The health of our people is very important. Over 100,000 people are served by the Mid-Ulster and South Tyrone hospitals. If the roads are not of the highest standard, hospitals are not easily accessible. In the near future, if one hospital is to be built to replace the two existing ones, it would be necessary for it to be easily accessible by road.

In conclusion, Mid Ulster is at the heart of our Province, and like every other heart the arteries leading to it must be free-flowing and of good quality to keep it alive and pumping. The infrastructure of the Mid Ulster area must be further developed, and we must provide opportunities for an increase in business and tourism. Mid Ulster is appreciated by people from all over the world. It must be promoted so that the people of the area can find jobs locally, and it must be seen to be an area of great potential so that it can really become the centre of Ulster.

## HOUSING

**Mr Tierney:** I nearly voted along with the DUP tonight! I was told last week that I would be speaking on Wednesday. At lunchtime today I was told that I would be speaking tomorrow night, and two hours ago I was told that I would be speaking tonight. I am not criticising my Chief Whip, but I will raise the matter at our next meeting.

I want to deal with housing. We have an opportunity to give renewed priority to housing. Priority status was taken from the Housing Executive in 1992-93, and every year since then its budget has been cut. That includes this year, as we heard when the Minister made his presentation to the Assembly.

I want to refer mainly to the Foyle area, to highlight some of the problems that we have faced because of these cut-backs. There is a waiting list of 1400, and that waiting list has not gone down during the last 10 to 15 years. There are 411 on the A1 list — that is the emergency list for homelessness — and there are a number of A2s and priority transfers. A homeless, one-parent family would have to wait up to 18 months before being housed. It would be offered temporary accommodation, if available — and usually it is not. That one-parent family will remain homeless.

A young married couple, with no priority status, would be advised to come back in five years. Even then, given the amount of priority transfers and A1 cases, their position may be the same. We need a new Bill to reduce the waiting list of 1400 and to cater for the homeless figure of 411, which continues to rise daily.

Since the cuts, we have been campaigning for a number of areas to be refurbished — there is one in the Bogside that we have been campaigning for for 15 years. Over the last five years the Housing Executive has told councillors and tenant associations that it was on the list to be done the following year. It continues to be put back.

That is one example, and there are others in the Derry area. I stress this one because the area has been described by the Housing Executive as having the worst housing conditions in Northern Ireland with no central heating and flat roofs which cause constant dampness. We have been promised that refurbishment will be carried out this year. The Housing Executive has now learnt to say “subject to finance being available” when it tells councillors and tenant associations who in turn tell the tenants. You can understand the residents’ position.

The Housing Executive has admitted that no one else would live in the houses in that area because their conditions are so poor. The people who live in them do so because they are close to the city centre and they have been promised refurbishing, year-in year-out. This situation cannot go on.

Adaptations in the Foyle area take up to a year after application. An adaptation is for someone who is disabled and needs a downstairs toilet, a downstairs shower or an extension for a bedroom downstairs. Unfortunately, some people never live to see the adaptations completed.

The grants section of the Housing Executive deals with new roofs, new windows and rewiring. Another member of the Housing Executive in the Foyle constituency has said “You won’t get grants unless your house is in poor condition.” But when people say that their house is in a poor condition, it still takes up to two

years before the work is carried out, and the poor conditions worsen during that two-year period.

*7.30 pm*

This is not a criticism of the Northern Ireland Housing Executive. There has been a lack of funding by the Department of the Environment, and the Assembly will have a chance to redress that if and when a Department responsible for housing is created. In the interim, I ask the Minister presently responsible for housing to reconsider this year's allocation and see the

serious effects that a lack of funding is having throughout Northern Ireland, and in the Foyle constituency in particular.

I ask two things from this debate: first, that the Assembly make housing a priority when it has a chance to discuss the matter; secondly, that in the interim the Minister who addressed the Assembly recently and also announced further cut-backs be asked to reverse that decision.

The Assembly was adjourned at 7.33 pm.



# THE NEW NORTHERN IRELAND ASSEMBLY

**Monday 1 February 1999**

*The Assembly met at 10.30 am (the Initial Presiding Officer (The Lord Alderdice of Knock) in the Chair).*

*Members observed two minutes' silence.*

## **PRESIDING OFFICER'S BUSINESS**

**The Initial Presiding Officer:** By virtue of paragraph 1 of the schedule to the Northern Ireland (Elections) Act 1998, it falls to the Secretary of State to determine where meetings of the Assembly shall be held and when. I have received a letter to the Assembly from the Secretary of State directing that it shall meet at Parliament Buildings, Stormont at 10.30 am on Monday 1 February until 6.00 pm on Tuesday 23 February. The Secretary of State has also indicated that she will consider a further direction in respect of this period, in particular in the light of any indications she may receive as to the wishes of the Assembly after it has begun to meet.

At the last sitting, several matters were raised with me on which I was asked to give a ruling and on which I offered to conduct investigation. The first, raised by Mr O'Connor, a Member for East Antrim, was about entry to the Chamber by Members during the conduct of a vote. On a related point, Mr Ian Paisley Jnr asked about the authority to have the doors locked.

I have investigated these matters. 'Erskine May' cites the precedent of Members being specifically identified in connection with entering a Division Lobby after the order has been given to lock the doors. I believe that this precedent is relevant. I therefore rule as follows.

Dr Ian Paisley and Mr Paisley Jnr entered the Chamber, according to the timed video tape, fully 60 seconds after the order for the doors to be closed had been given, and after a number of Members had voted. Both this and the leaving of the Chamber by any Member prior to the Doorkeepers' reopening the Doors is improper.

Under Initial Standing Order 2(1), it is within the Speaker's powers to instruct that the doors be secured during a Division. To do otherwise would be to

disadvantage Members whose names occur early in the alphabetical list.

It is not permissible to vote from the Galleries, nor will it be permissible to vote in the Division Lobbies until the Assembly decides, under Standing Orders, that they can be used for that purpose, at which time they will become the proper places to vote. In this situation, however, it is quite clear that the Members entered the Division Lobby after the doors had been closed.

In view of the fact that Dr Paisley was aware of the procedure of the closing of the doors, as is clear from his intervention, recorded on videotape and timed at 5.15 pm, at the sitting on 15 December 1998, and since other Members who held the rules were unable to have their votes recorded on a previous occasion, I rule that the record be amended to disallow the votes of Dr Paisley and Mr Paisley Jnr on that occasion.

Mr McCartney raised the issue of getting advice from the Deputy Clerk. In particular, he enquired about whether it would be advisable to leave the Chamber. Having investigated the exchanges, I am content that the Deputy Clerk acted properly on that occasion.

**Mr Kennedy:** On a point of order, Mr Initial Presiding Officer. Following the marvellous achievement of Ulster at Lansdowne Road at the weekend, is it in order for me to ask whether arrangements have been made for the Assembly to receive this great rugby team so that we may all rejoice in their achievement of becoming European champions?

**The Initial Presiding Officer:** I agree with Mr Kennedy, and I understand that some matters are in hand. But I am not sure that this is a point of order.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. I ask you to reflect further on the meaning and intention of Standing Order 2(1), which you quoted in an earlier ruling. It is clear that your role is to interpret and enforce Standing Orders, but you do not have the power to make new Standing Orders. Quite properly, that power is withheld from you. No Standing Order suggests that the Doors should be closed or locked, and you have enforced existing Standing Orders in such a way as to attempt to extend them. I would like you to look at this matter again because it goes far beyond what the Standing Orders entitle the Initial Presiding Officer to do.

**The Initial Presiding Officer:** On almost every occasion when requested by Members to review a matter I have done so. I will do so again on this occasion. However, I should draw the Assembly's attention to two matters.

First, I have repeatedly said that the Initial Standing Orders are not adequate for the conduct of the Assembly's business and that, therefore, I should take

other matters into account. Those matters include the draft Standing Orders, the discussions on them, and 'Erskine May'. I have made that clear on a number of occasions.

Secondly, on the issue of fastening the doors — not locking them — I have not given instructions that they must be locked, although that is the procedure in other places when Members do not accept that the doors should simply be closed. If the doors were not closed our procedure would be improper because advantage would be given to Members whose names came later in alphabetical order, and that could lead to discrimination.

I will look again at the matter, and if I have made a judgement which has gone beyond what is appropriate I will draw that to the attention of the Assembly.

**Mr Paisley Jnr:** On a point of order, Mr Presiding Officer. Will you please provide Members with a list of what you believe is proper and what is not proper. It is extremely difficult for Members to operate properly when they do not know exactly what, in your terms, is proper and what is not proper. According to Standing Order 2(2), you have no right to disallow our votes or to remove us from the Chamber. You have no right to tell us when we may or may not enter the Chamber. For those reasons, we need a list of what, in your mind, is proper and what is improper.

**The Initial Presiding Officer:** I have already given that list. The matter to which I refer is clearly dealt with in 'Erskine May', and that was followed in the ruling given.

**Mr Paisley Jnr:** Further to that point of order, Mr Initial Presiding Officer. Will you give the precise paragraph in 'Erskine May' which says that doors have to be locked.

**The Initial Presiding Officer:** I am not clear about the purpose of the point of order since, as I have already said, my instruction was not that the doors be locked but merely that they be closed. However, I am content to state the section of 'Erskine May' on which I based the ruling on what happens when Members are named as having entered the Division Lobbies after the doors have been locked and the procedure to be followed when it makes no difference to the outcome of the vote. I think that the reference is on page 354. I will advise Members if that is incorrect.

**Mr Paisley Jnr:** Do you not accept that on all these matters 'Erskine May' is not specific but general?

**The Initial Officer:** The Member must consult 'Erskine May'. On this matter it is not general but highly specific.

**Rev Dr Ian Paisley:** Further to that point of order, Mr Initial Presiding Officer. I do not understand. In 'Erskine May' there is a clear statement about the locking of doors. Anyone who understands what

happens in the Mother of Parliaments knows that the Chamber is never locked against Members at voting time. Sometimes the Lobby doors are locked, but not the Chamber.

You have been taking guidance from 'Erskine May'. It covers the locking of doors, but you have said that you asked for the doors to be shut, not locked. Therefore your ruling, based on 'Erskine May', is not applicable in these circumstances.

How can you make a new Standing Order about voting? You must rule on the basis of the Standing Orders made by the Secretary of State. She alone has the power to make Standing Orders at this time. Your ruling on the issue of voting has not interpreted a Standing Order; it has made a new Standing Order — something that you have no power to do.

**The Initial Presiding Officer:** The Member is suggesting that it is appropriate for Members to vote at any time and in any manner they choose. That is not proper.

The timed videotape shows that the two Members entered the Chamber after the other Members had begun to vote. At the last sitting it was suggested that the Members had been in the Division Lobby at the time. From my investigations it is clear that that is not the case.

I must give rulings to keep things in order. From the first sitting of the Assembly I have made it clear that the Initial Standing Orders are not sufficient for the proper maintenance of order, and there has been no dissent. I made it clear that I would refer to 'Erskine May', and there was no dissent. I said that I would call for the doors to be fastened, and there was no dissent. Indeed, Dr Paisley rose at 5.15 pm on 15 December to point out that the doors were locked. In fact, they were simply closed. However, he was right in saying that they should have been opened after the vote was taken. He was correct, but he made no objection to the fact that they were closed at that stage. I assume that if that had been a matter for legitimate objection, objection would have been made. Of course, there are aspects of 'Erskine May' that are not applicable — this being a different type of Assembly.

I do not claim always to get it right, but Members must be aware that it is not possible for every matter to be conducted properly on the basis of the Initial Standing Orders. I have taken a reasonable number of objections and points of order on this matter, and I should now proceed to the third item on the Order Paper.

10.45 am

**The First Minister (Designate) (Mr Trimble):** On a point of order, Mr Presiding Officer. You have

referred to matters raised by Mr McCartney on 18 January regarding statements made, or alleged to have been made, to him by the Deputy Clerk. You said that you had looked into the matter and were satisfied that the Deputy Clerk had behaved correctly. Can you give Members more information about this? Mr McCartney's comments on that occasion, and his report of the conversation that he had with the Deputy Clerk, do give rise to some serious considerations if they are accurate. Please explain more fully the basis upon which you are satisfied that the Deputy Clerk behaved properly.

**The Initial Presiding Officer:** I have looked into the matter in respect of Mr McCartney's comments and have received from the Deputy Clerk a written account of what was said. I have also received a letter from the Chief Whip of the Ulster Unionist Party and have responded to it.

From my enquiries I believe that matters were conducted properly. There was a clear dispute: some Members claimed that the Deputy Clerk should have said more, while others feared that he might have said too much. Such was the dilemma that the Deputy Clerk found himself in, and, from what I have ascertained, I am satisfied that the matter was conducted properly.

However, if Members feel that there are matters which have not been drawn to my attention, but ought to be, they should advise me accordingly. If other material comes to hand I will treat it seriously.

**Mr Haughey:** On a point of order, Mr Presiding Officer. I do not think it satisfactory to leave the previous debate as it stands. Mr Robinson and Mr Paisley implied or stated that your authority is limited to an interpretation of the present Standing Orders. Standing Order 2(1) states

"The Presiding Officer's ruling shall be final on all questions of procedure and order."

That clearly indicates that, with regard to practical arrangements for the business of the House, your authority goes beyond these Standing Orders.

**The Initial Presiding Officer:** The Member puts it very clearly and, I think, properly. It is impossible to conduct matters solely on the basis of an interpretation of the rather thin Initial Standing Orders. The Assembly is aware of that. I drew this to Members' attention on the first day and have drawn it to their attention on virtually every other day since. There has been no dissent until now, when Members find themselves on the wrong side of a ruling.

The purpose of Standing Order 2(1) is to address the inadequacies in the current Initial Standing Orders.

**Mr McCartney:** Further to the point of order raised by the right hon Member for Upper Bann (Mr Trimble),

I wish to make it clear that I do not withdraw in any way the remarks that I made in relation to the information which I received from the Deputy Clerk.

I wish to underline the fact that those remarks were intended not to indicate any imputation against the Deputy Clerk, but merely to establish that the Deputy Clerk was privy, as you were, to information about the intention of some parties to move the closure. Your reaction to that knowledge, which I believe you had, is the issue that is to be the subject of the first debate today. The matter which Mr Trimble raised can be more than adequately dealt with then.

The point that I was making, as will be clear to Members familiar with the rules of evidence, is that it seemed that the Deputy Clerk was privy to something that was going to occur and, by implication, that you were privy to it.

**The Initial Presiding Officer:** I refer to what I said earlier. If Members have matters which they wish to take further I will investigate them and take appropriate action.

**Rev Dr Ian Paisley:** Mr Initial Presiding Officer, further to the point of order raised by Mr Haughey, that Standing Order relates to a ruling on the Standing Orders. For you to make up procedure under no auspices whatsoever is ridiculous. You can only rule on the basis of what is in the Standing Orders.

You said earlier how terrible it would be if we were all to vote on the call of our names. That happens in the European Parliament when a President is elected. Members stay out of the Chamber until their names are called. Surely the Assembly should be capable of following the procedure of the great European experiment, which Members opposite laud to the highest heaven.

**The Initial Presiding Officer:** I was not aware that Dr Paisley was now advocating the European way.

**The First Minister (Designate):** Further to my earlier point of order, Mr Initial Presiding Officer. Mr McCartney's comments give rise to some serious matters in view of his statement that he does not in any way withdraw the comments that he made on 18 January.

In every such deliberative body it is normal practice for parties, from time to time, to advise the Speaker's office, in confidence, of things that they may propose to do during the proceedings.

Mr McCartney's comments of 18 January, repeated today, imply that that confidence was broken by someone in your office. As Mr McCartney stands over those comments, it is important that we establish whether the necessary confidentiality has been breached.

**Mr McCartney:** Mr Initial Presiding Officer, may I respond to that point of order?

**The First Minister (Designate):** Mr McCartney is not the Presiding Officer, so how could he respond?

**The Initial Presiding Officer:** If it is a question of raising a point of order, that is another matter. The matter has been aired, and if any further material is brought, I will look into it.

**Mr McCartney:** On a point of order, Mr Initial Presiding Officer. Whether there is some pathetic play with words about what a response meant it is neither here nor there. I never suggested at any time that the Deputy Clerk breached any confidence. However, he was clearly placed in a difficult position because he was being asked a question which would have meant his breaching a confidence if he responded positively. He did not respond positively but it was quite clear by inference — and that is all that I have ever said — that he was aware of information to which I have already referred.

**The First Minister (Designate):** Further to that point of order, Mr Initial Presiding Officer. On 18 January Mr McCartney said

“the Clerk told me that ... it might not be opportune to leave the House.”

**The Initial Presiding Officer:** As I said earlier, sometimes matters are not necessarily undisputed. If there is other material, Members should bring it forward.

### ASSEMBLY PRESIDING OFFICER: NO-CONFIDENCE MOTION

**The Initial Presiding Officer:** Given my clear personal interest in this matter, I have sought the agreement of the parties to the appointment of an alternative Chairperson for this item of business only. It is for the Assembly to decide as to when it wishes to appoint a Presiding Officer and a Deputy Presiding Officer, although such a proposal would have to follow a motion being tabled and appearing on the Order Paper at least one day in advance of a plenary session. That has not yet happened, nor has the Secretary of State appointed a Deputy Presiding Officer.

In the interests of fairness, and for the protection of the Assembly's interests, it would be inappropriate for me to preside over this item of business and, therefore, someone else should preside.

After discussions, I believe that Ms Jane Morrice is the most acceptable Member to preside during the

debate on item 3, and I beg leave of the Assembly to ask her to take the Chair at that time.

**Mr Wilson:** On a point of order, Mr Initial Presiding Officer. Can you assure us that the alternative Presiding Officer will have the powers that you currently possess to regulate the Assembly's business?

**The Initial Presiding Officer:** Ms Morrice would act not as an alternative Presiding Officer or as an acting Presiding Officer, but as the Chair for that debate.

**Mr Wilson:** That does not answer my question. Will Ms Morrice possess the same powers as the Initial Presiding Officer to regulate the remainder of the business at this sitting?

**The Initial Presiding Officer:** If the Assembly gives leave for Ms Morrice to take the Chair for the debate on this motion, she will have the authority to conduct the business for that business alone. At the end of the debate on the motion, whatever the outcome, the Initial Presiding Officer will return to the Chair. The Assembly can then decide on how it will conduct matters in relation to the election of an alternative Presiding Officer.

I trust that those proposals are clear to Members. Ms Morrice will, by leave, preside over the debate on the motion.

I will set out the rules where those that were established in the Initial Standing Orders reported to the Assembly on 26 October 1998 are inadequate by reference to parliamentary practices that are described in ‘Erskine May’. This temporary chairmanship is made in the absence of a Deputy Initial Presiding Officer, and will lapse upon the return of the Initial Presiding Officer to the Chair. During the debate, I suggest, Ms Morrice be referred to as Madam Chair. At the end of the debate, and following any Division, the Temporary Chairperson will vacate the Chair.

Under Initial Standing Order 13(5), the Initial Presiding Officer shall continue in office, irrespective of the outcome of the debate. However, should the censure motion be agreed, the Initial Presiding Officer would continue to preside over the Assembly's business until another Member is elected under Initial Standing Order 13 or until he resigns and the Secretary of State makes another appointment.

I invite Ms Morrice to take the Chair.

*Ms Morrice took the Chair.*

**Mr P Robinson:** I beg to move the following motion:

*This Assembly has no confidence in the Initial Presiding Officer.*



11.00 am

Madam Acting Initial Presiding Officer, I welcome you to the Chair, however short your sojourn may be. The matter that we are about to debate is very serious — one that concerns a critical aspect of the working of any democratic parliamentary assembly: do Members have confidence in their Presiding Officer? It is important that we set the scene against which the debate took place, the central issue and the Speaker's handling of it, which is what has given rise to this motion of no confidence.

During the lead up to the preparation of the report by the First Minister Designate and the Deputy First Minister Designate there was considerable speculation about its content. The business managers of the House, who meet in the Committee to Advise the Presiding Officer (CAPO), give advice to the Presiding Officer, upon which he makes determinations. Over a number of weeks consideration was given to how this debate would be conducted. A conclusion was reached in the CAPO meeting of the 11 January 1999. I want to put on to the record extracts from the minutes of that meeting, which show what was agreed. Under the heading "Timing" they say

"Mr P Robinson proposed the debate on the Report by the First Minister (Designate) and Deputy First Minister (Designate) should be conducted on 18, 19 and if required 20 January, the remaining business to be completed on 20 January."

That clearly demonstrates what was proposed.

After discussion

"The Initial Presiding Officer suggested the debate should be conducted from 10.30 am to 6.00 pm on 18 and 19 January and potentially Wednesday if required. The debate can be extended by a short period on 19 January if that would complete the debate."

**Rev Dr Ian Paisley:** Mr Robinson is informing the House that the timing of this debate came from the lips of the Initial Presiding Officer. He said that we could have this debate over two days and, if necessary, a third. It was his decision, made in view of the importance of the subject matter and of the number of Members who wished to participate.

**Mr P Robinson:** The whole point about CAPO is that it is a Committee to advise the Presiding Officer who takes decisions on these matters. His decision is recorded in the minutes. Furthermore, it is then his responsibility, under law, for the Initial Presiding Officer to publish a business diary, giving to Members in advance, information about what the business of the House will be.

The business diary for that week clearly shows a plenary session for Monday 18 January 1999 and Tuesday 19 January 1999, and a plenary session for Wednesday 20 January 1999, if required. There was no

doubt that there was to be a full two-day debate and, if required, a third day on Wednesday 20 January 1999.

The Order Paper was issued on the day of the debate. It set out Monday 18 January 1999, Tuesday 19 January 1999 and Wednesday 20 January 1999 as sitting days. There could be no doubt in the mind of the Initial Presiding Officer about what was reasonable and right in terms of the length of time for the debate. The Business Committee — or CAPO, as it is called — took cognizance of the fact that this was a crucial debate on a very important subject — and this was recognised by all of the parties — and, therefore, that it needed the additional day or two.

All parties were represented at the meeting of the Committee to Advise the Presiding Officer, and not one Member objected to a two- or three-day debate. Nor did any Member move that the debate be shortened in any way. There was no indication that the period allocated for this debate was too long, and the decisions that were taken clearly come from the advice given to the Initial Presiding Officer by all of the parties.

The debate, quite obviously, took fairly predictable lines. It was a normal Assembly debate — not even the references to hijackers and aeroplanes were particularly unusual. However, I listened to the revisionists trying to explain why it was proper to curtail the debate. Some of them said it was petering out: that is absolute nonsense. When the curtailing motion was brought forward, at least a dozen Members had yet to speak. Some Members arrogantly suggested that it be curtailed after they had spoken, since from then — for them — everything was downhill, and nothing further needed to be said. However, the reality was that there was plenty of steam left in the debate.

Then some of the revisionists suggested that there had been repetition. One of them had the audacity to quote my colleague Jim Wells who raised matters that nobody else had. There is nothing wrong with repetition, providing that it is not the same person repeating himself, and that seems to have been forgotten. There was no repetition; under the Standing Orders, it is the Initial Presiding Officer's responsibility to draw to a Member's attention the fact that he is repeating his remarks tediously and ask him to resume his seat, but there is nothing to stop one Member from covering the same points that another has dealt with.

It was also suggested that the debate was not the one that was expected. I am not sure what some Members did expect, but the subject matter was clear, and it had not changed. There may have been some delay in terms of one element of the overall report, but that would have been something more rather than less to debate. The debate had not reached the halfway stage when the Ulster Unionist Chief Whip rose to move the closure motion.

**Mr Leslie:** Mr Robinson stated that the debate had not reached the halfway stage, but in his earlier remarks he said that there were at least 12 speakers to be called. I understand that 30 Members had already been called, so can he please explain by what quirk of mathematics he thinks the debate was less than halfway through?

**Mr P Robinson:** For the benefit of this intellectual colossus, my statement was based upon what I knew to be the position with regard to the number of DUP Members still to speak. I would not presume to guess the number that other parties would have been putting forward, but it would have been remarkable if the DUP had been allowed to have 12 speakers without any other party making some comments. It is clear that if some Members do not like what is being said, they stop it being said. That is some democracy for this House to enjoy!

I want to examine the decision that was taken, and, incidentally, I do not fault the Chief Whip of the Ulster Unionist Party for rising to attempt a closure motion. The Standing Orders provide for that — within certain limitations — and in terms of those, what he did was fairly acceptable. However, as far as the meeting of the Committee to Advise the Presiding Officer was concerned, he was breaking his word, because at that meeting it had been indicated that there would be a two- or three-day debate.

**Several Members:** Time.

**Mr P Robinson:** Obviously, some people are not expert in the Standing Order. This is a 20-minute speech. *[Interruption]*

**The Temporary Chairperson:** Order.

**Mr P Robinson:** Madam Acting Initial Presiding Officer, the Standing Order should be put on record:

“After a motion has been proposed and provided that each of the parties present has had a reasonable opportunity to contribute to the debate, any member who has not already spoken to it, or to any amendment which has been moved, may move that the question be now put.”

That, as I said, is the part of the Standing Order which perfectly entitled the Chief Whip of the Ulster Unionist Party to stand.

But there is a protection in the latter part of paragraph 11(1):

“and unless it shall appear to the Presiding Officer that such motion is an abuse of these Standing Orders, the question that the question be now put shall be put forthwith, and decided without amendment or debate.”

The wording of the Standing Order is not accidental. It was not the original thought of the Secretary of State or her advisors; it comes directly from the House of Commons. It is the language of Westminster. When the Initial Presiding Officer, rightly and properly says that

he uses ‘Erskine May’ as a guide, then we have the right to look at ‘Erskine May’ to see what guidance he would have found, had he looked there for advice.

There are two main tomes of knowledge in respect of practice and procedure in the House of Commons. One — the most respected — is ‘Erskine May’. The other — perhaps lesser known — is Griffith and Ryle: ‘Parliament: Functions, Practice & Procedures’. On the subject of closure Griffith and Ryle states

“The conditions attaching to the granting of the closure are important. Nothing is formally laid down, but the Chair, in whose sole, personal discretion it lies .....does seek to act within certain broad guidelines, based on previous practice and experience.”

I want Members to listen to this:

“Here, practice and practical considerations are important.”

And for those who do not know what the moment of interruption is, in terms of parliamentary language, it is usually at 10 o’clock, but it is a moment when a vote is expected.

“For example, a closure will normally be granted just before the moment of interruption at the end of a full day’s debate on a substantive motion ... It would not normally be granted on such business, significantly earlier than the moment of interruption. These cases are easy.”

And before I come to ‘Erskine May’ — which is quite revealing on this subject — it might be worthwhile to explain why there are closure motions.

As with a great deal of parliamentary practice, the House of Commons was forced to adopt closure motions because of disruption from nationalists. In the early part of this century — and, indeed, the latter part of the last — nationalists attempted to disrupt the proceedings of the House of Commons. They tried to prolong debate, to stop decisions from being taken. And those who are in the House of Commons know that if a Member speaks beyond his time, he can stop a vote from being taken.

Nationalists use these tactical procedures in order to disrupt parliamentary sessions, prevent decisions from being made and prolong debate.

A closure is not a mechanism to cut short a debate; it is a mechanism to stop a debate from being prolonged. That distinction must be made if anybody is to understand how a closure operates. That was the mistake — and I put it in those terms at the moment — made by the Initial Presiding Officer. He read the Standing Order in such a way that the closure motion was one that could cut short a debate. It never has been. It has always been a mechanism to ensure that the proper proceedings of Parliament could be held and not disrupted.

What does ‘Erskine May’ say about this? The chapter on Methods of Curtailing Debate states

"All these methods were originally designed to counteract ... prolonging debate, and so obstructing the progress of business. They are probably a permanent feature of modern procedure, but they are still felt to be an unfortunate necessity and not to be justified except against obstruction or by pressure of business."

11.15 am

He goes on to say that the rights of the minority are protected by the discretionary power, given to the Chair and frequently exercised, to refuse to accept the closure motion. The critical words in 'Erskine May' are

"they are probably a permanent feature of modern procedure, but they are still felt to be an unfortunate necessity and not to be justified except against obstruction or by pressure of business".

Consider those two exceptions. The Initial Presiding Officer had indicated the length of time allocated to the debate. It was no obstruction for the debate to take its full course. The only obstruction was the move for closure. That was the abuse of Standing Orders, not continuing the debate according to the time scheduled.

I hardly need to address the subject of "pressure of business". Not even the bravest Member would dare to suggest that this Assembly has been under such time pressure that it had to move on to some other pressing matter. We have only met half a dozen times in six months; there was clearly no pressure of business, there was no other substantive motion to be debated and there was plenty of time to finish the debate. According to 'Erskine May' and to Griffith and Ryle, it is abundantly clear that the Initial Presiding Officer was wrong.

I described these circumstances to the Clerks at Westminster, without telling them where the matter had occurred, and asked what the Speaker would do. It was made absolutely clear to me that the Speaker would not have allowed the closure motion.

The consequences of the Initial Presiding Officer's ruling were many. Parties had marshalled their troops for a two- or three-day debate, not just in terms of attendance but also by selecting their speakers and the order of speaking. To facilitate a balanced debate — and I suspect other parties who were unaware of the tactics of the Ulster Unionist Party may have done the same — this party had spread its key speakers for a two-day debate. We had slotted in several Members for their maiden speeches, which they were denied the opportunity to make.

Perhaps the greatest consequence was that this party at least had decided to divide responsibility for certain subjects over the two days. Contrary to the argument that there would have been repetition, later speeches would have dealt with the unnatural divisions involved in the creation of 10 Departments — Education divided in two, the cutting up of the Department of the Environment and housing going to Social

Development. There are many artificial creations, and that would have been the subject of consideration.

The cost and danger of creating ten Departments is clearly a matter of some interest. Certainly it should be of interest to Ulster Unionists. I notice that Jim Nicholson, the Ulster Unionist MEP, found it incredible that ten Departments had been proposed, with an overall cost of £90 million. Mr Nicholson said

"I feel strongly that such proposals are not in the best interests of the people of Northern Ireland and ... have no basis in logic."

Ulster Unionist security spokesman, Ken Maginnis, speaking in South Down, attacked what he called "the SDLP's 'snout in the trough' approach to Assembly structures". He said the proposal that the present three Westminster Ministers managing six Departments should be replaced by ten Ministers —

**Mr McFarland:** On a point of order. Is the Member making the speech that he lost the last day?

**A Member:** Mr McFarland is not allowed to make a speech anyway.

**The Temporary Chairperson:** My ruling is that all Members stick to matters relevant to the debate on the procedure. Mr Robinson is sticking to the procedure.

**Mr P Robinson:** As the time is moving on I will not get to cover all these issues at this time. I only had 10 minutes on 18 January. However, happily, I have 20 minutes now and 15 minutes later.

**The Temporary Chairperson:** Your time is up.

**Mr Maskey:** Thank you, A Chathaoirigh.

I would just like to make a couple of points. In the past I have had to rise to criticize the Initial Presiding Officer, in particular, on the occasion when Mr Berry made a reference to the Loughgall incident: he, in fact, called for more Loughgalls. I had to draw the Initial Presiding Officer's attention to the fact that this remark was disgraceful. Mr Berry was calling for further murders. *[Interruption]* The steam to which Mr Robinson referred has turned into hot air.

**Mr Morrow:** Is the Member speaking to the motion?

**Mr Maskey:** I am.

**The Temporary Chairperson:** I ask the Member to speak to the motion.

**Rev Dr Ian Paisley:** On a point of order. Should the Member not take his seat when you are giving a ruling?

**The Temporary Chairperson:** Thank you for reminding me, Dr Paisley, that I should be standing.

**Mr Maskey:** It is great to get a parliamentary lesson from the Rev Ian Paisley.



I am speaking to the motion of no confidence. I have previously raised objections to the manner in which the Initial Presiding Officer has conducted business here. There was one very serious incident during which I considered that he was in breach of his responsibilities — the incident in which Mr Berry referred to wanting more Loughgalls, more murders, by the British forces.

From my party's point of view, the conduct in this Chamber has never been perfect, to say the least. However, Sinn Féin is opposed to this motion because it has more to do with political gimmickry and is a waste of people's time. Those who voted for or, indeed, against the agreement, find it strange that parties can only find time to discuss a motion of no confidence in the Presiding Officer, who may not hold that position beyond 10 March. We have more important things to do than that.

On the matter of the guillotine motion, the DUP appears to be very smug about its ability to make best use of Standing Orders in many councils across the North. Its confidence does it credit.

To suggest that there cannot be a guillotine motion after 30 or so Members have spoken in a debate is a bit of a red herring. As a member of CAPO I certainly agreed to having two days and possibly a third day for a vote if that was necessary, but that was not binding on any of the parties. We supported the guillotine motion because in our view the matter had been well aired.

Initial comments and the conduct in that debate show that the DUP, the UKUP and other parties had several points of order which lasted for some considerable time. To have an additional 12 Members speaking after all the other contributions had been made would have been completely unnecessary. All parties had ample opportunity to express their views on the report tabled by the First Minister (Designate) and the Deputy First Minister (Designate). We supported the guillotine motion not because we wanted to hinder the DUP — it may appear on television every day of the week for the high propaganda value it gets from that — but because we were sure that all parties had had ample opportunity to air their views on the report.

The general public watch the antics of DUP Members and of Mr McCartney, who is the other expert at tomfoolery in the Chamber.

We have no interest in guillotining the debate to prevent any party airing its views. We made sure we were satisfied that all parties had ample opportunity to express their views on the report. The debate is a waste of time and energy. It is political tomfoolery, and the public will make their own judgement on that. We have criticised the Initial Presiding Officer in the past and no doubt we may do so in future but overall, he has

conducted the Assembly's affairs satisfactorily, and we therefore oppose the motion.

**Mr Neeson:** At the risk of repeating the words of a DUP Member earlier in the debate, I do not intend to say much in this charade. The debate should have been curtailed. For the DUP, it was not a question of debating the report by the First Minister (Designate) and the Deputy First Minister (Designate) but of having a go at the Ulster Unionists on the whole question of decommissioning. Most of what DUP Members said had nothing to do with the report.

Mr Robinson chose today to deal with issues in the report that should have been dealt with in the debate on that report. I regret that we are not debating the issue of Assembly staff being abused and bullied at the Doors by some DUP Members. Having raised this issue, will I also be threatened with legal proceedings in the way other Members have been threatened?

**Mr Paisley Jnr:** On a point of order. Is it right for a Member knowingly to raise a matter which is now sub judice or a matter which was raised outside the confines of this building in order to try in some way to interfere in the due process of law?

**The Temporary Chairperson:** Order. The matter should not be discussed further at this stage.

**Mr Neeson:** At least I do not put people's lives at risk by the issues that I raise in the Chamber. Mr Robinson said that this is a democratic, parliamentary Assembly. I conclude by saying that a democratic vote was taken on closure in the Assembly.

**Mr C Wilson:** As a member of the Committee to Advise the Presiding Officer, I concur with Mr Robinson's comments. As Members are aware, after a period of deliberation and debate, the Committee expresses the unanimous view of all the parties that are represented on it, and the Presiding Officer considers our advice. He then determines how business is presented to the House and the manner in which it is conducted.

*11.30 am*

It is clear, as the record shows, that the parties indicated to the Initial Presiding Officer that a reasonable amount of time was needed to debate the matter fully — one of the major debates that we have had in the House so far.

Having considered the views of all members of the Committee, the Initial Presiding Officer concluded that the debate on the Report from the First Minister (Designate) and the Deputy First Minister (Designate) should last for two, and possibly three, days.

Regrettably, the Initial Presiding Officer, having reached that conclusion, subsequently agreed to a



closure motion to cut the debate short. The manner in which the debate was brought to a close was particularly distasteful to anti-agreement Members. They believed that the Report from the First Minister (Designate) and the Deputy First Minister (Designate) was a serious matter, one which will have ramifications, not only for this Chamber and those involved in the political process, but for the wider community in Northern Ireland for many years to come.

The Initial Presiding Officer was wrong to close the debate at that time. In his opening comments today he acknowledged that he does not always get it right, and I believe that that was one occasion when he did not get it right. Although the Initial Presiding Officer has performed the duties of the Chair to the satisfaction of the Assembly, on this occasion, he made a serious error of judgement. Shortening the debate prevented Members from having enough time to discuss these matters fully. It was clear that the thrust towards shortening the debate came from the Ulster Unionist Party. We all know why the Ulster Unionist Party wanted to shorten the debate. It was not because they felt that Members had had a fair opportunity to express their opinions, and it was not because they felt that the debate had become repetitive.

**Mr Birnie:** On a point of order. This is a debate about the Initial Presiding Officer and not about the intentions of the Ulster Unionist Party.

**The Temporary Chairperson:** The point of order is that the Member should keep to the subject of the motion, and I ask him to do so.

**Mr C Wilson:** I believe that I am firmly on target in relation to this subject. The fact that Mr Birnie has risen indicates that I have hit the bull's-eye.

The motion was guillotined because the Ulster Unionist Party felt gravely uneasy about Members in their ranks who were having a very difficult day — they did not want to have to go through another day during which these Members would question the party's line.

The Northern Ireland Unionist Party hopes that the Initial Presiding Officer will recognise that he did err in this case. It is hoped that we will not witness such a spectacle in the future. Procedures such as guillotine motions, when used to stifle debate, do nothing for the reputation of this House.

We have heard, since the inception of the peace process, during the negotiations at Castle Buildings and now in the Assembly, about its being an inclusive process. It appears that it is only inclusive, and Members can only fully ventilate their views, if they are in favour of the Belfast Agreement.

If we wish to oppose the Belfast Agreement, we are told by Members such as Sean Neeson that we are not democrats. Mr Neeson has the effrontery to question the relevancy of comments made by other parties. That has never stopped Mr Neeson getting to his feet.

It is not the business of this House, Madam Acting Presiding Officer, to determine whether Members feel that the issues being raised by parties are relevant or repetitive. If that is the criteria, then many of the debates would be much shorter. I hope that this tactic will not be used to stifle debate in the future.

Mr Robinson has explained that this tactic would not be considered normal procedure in any other debating chamber. I hope that in future the good name of this House will not be sullied by Members using procedural matters to stifle debate.

**Mr McCartney:** Madam Deputy Initial Presiding Officer (Designate) — perhaps I could simply refer to you as Madam Speaker or Madam Deputy Speaker — the debate of 18 January was by far the most important debate that we have had in the Assembly. The future governance of Northern Ireland centred on it.

Members were aware that it had been agreed that the report formed the essence of the determination to be made on 15 February, upon which the future transfer of substantive powers would depend. It was therefore a debate of grave, constitutional importance for all the people of Northern Ireland, no matter their views. That was recognised in the meeting of the Committee to Advise the Presiding Officer when it was agreed that there should be a two- or possibly three-day debate. To suggest that this debate today is some form of vaudeville act or political mimicry is just nonsense.

This debate is about the cutting short of one of the most important and essential debates that we are likely to undertake in this Chamber. That is its importance. Mr Robinson makes a number of very valid points about parliamentary procedure, insofar as that is a guide.

The purpose of a closure motion is not to cut short a debate but to prevent the unnecessary prolongation of a debate for the purpose of obstruction. Where the prolongation of that debate would cause obstruction or prevent other pressing business from being attended to, the Speaker has discretion to take the necessary course if a closure motion is put. That was never the position that faced the Initial Presiding Officer when this was proposed. Indeed, we can presume that he was aware some time before that this closure motion was going to be put.

I wish to address very briefly the matter of my remarks about the Deputy Clerk. The Deputy Clerk and I have always had a relationship based not only on respect but also on a good deal of friendliness. I sought

his advice because I had no knowledge that he knew, and that the Speaker knew, that there would be a closure motion.

I inadvertently put him in the embarrassing position of having to choose between telling the truth — to admit to me that it would be wrong to leave the Assembly because a motion could be pressed at any moment — and betraying the confidence of the Initial Presiding Officer. I was unaware that he was placed in that position and, in the circumstances, acknowledge that he endeavoured to be honourable and to preserve the confidentiality that is required of him. I was unaware of his difficulty, and, with the benefit of hindsight, if any of my remarks could be remotely interpreted as importuning his good name or his integrity, of course they are withdrawn.

From the record it is quite clear that that was never the case. I was simply indicating that by his answer, which was the only one he could give in the circumstances, he clearly indicated a degree of knowledge about a possible closure motion on the part of the Initial Presiding Officer.

The question arises whether it was appropriate for the Initial Presiding Officer to accept the closure motion and, in my submission, it was not appropriate at that time. In any event, the Initial Presiding Officer was aware that many Members were under the impression that there had been an agreement at the meeting of the Committee to Advise the Presiding Officer for a two-day or possibly a three-day debate, and Members who wished to speak were apportioned accordingly. The Initial Presiding Officer knew that that impression had been given by the CAPO agreement and by the order of business.

Several options were open to him. He could have said at some stage, or in response to Mr Wilson's motion, that 30 Members had spoken and, although others had yet to speak, we were approaching the time when a closure motion might be accepted. Alternatively, he could have left it until the end of the first day and advised Mr Wilson that, although the moment for a closure was not yet appropriate, it was approaching. Everyone would have been alerted, and he would have been acting entirely within the rules of the procedure and precedence that are laid down in 'Erskine May' and in other books.

**A Member:** Nonsense.

**Mr McCartney:** It is for the Assembly to decide whether it is nonsense. Sedentary remarks are usually not worth much.

I will vote against the motion because I believe that, to date, the Initial Presiding Officer has demonstrated great qualities. It is generally recognised that he has endeavoured to be fair to everyone, and he has dealt

with the business with intelligence, good humour and understanding. However, that does not remove the fact that on this occasion he was wrong in terms of procedure and precedent in accepting the closure motion. Knowing that many were under the impression that the debate would go on for two days, he was wrong to curtail it. He must have been aware that many Members held strong views on the Belfast Agreement.

*11.45 am*

They had a desire to be heard. Justice is not just about winning a case; it is also about having an opportunity to speak and to put the case. Everyone knows that ultimately — since this was not taken as a vote requiring cross-community support — it would almost inevitably have been carried. Therefore there was no loss to anyone. There was certainly no loss to the Ulster Unionist Party or to the SDLP in letting this debate run its course by allowing everyone to be heard. At the end of the day they were going to succeed in having it carried.

So what purpose was served by the Presiding Officer's accepting the closure motion? No purpose was served. People were denied the right to speak, people were obstructed from airing views on matters that meant a great deal to them. I therefore believe that the behaviour of the Presiding Officer on that occasion was totally wrong. He was complicit with the Ulster Unionist Party in accepting a procedural motion that had no merit, no justice and no place in public or political morality, a motion which should have been refused.

**Mr Haughey:** This motion was proposed by Mr Peter Robinson, a Member for East Belfast, who assured Members that this was a critical issue for the House. Having proposed the motion he promptly left the House along with his Leader, Dr Paisley, and most of the members of the DUP have been absent from the House since then.

**Mr Morrow:** On a point of order. May I inform the House and the Member that Mr Robinson has left to attend to council business and that Dr Paisley has left to attend a funeral.

**The Temporary Chairperson:** That is not a point of order.

**Mr Paisley Jnr:** Is it in order for a Member to read out a list of names and say whether those people are present or not in the Assembly? Can the Member tell us where the Leader of the SDLP is? Can he tell us where the Deputy First Minister (Designate) is? Is it in order for a Member to do that?

**The Temporary Chairperson:** I do not recognise that as a point of order.

**Mr Haughey:** Madam Chair, I repeat that the proposer, of the motion, having assured Members that this was a vital matter of immediate concern and of critical consequence to the House, left the House, along with the Leader of his party and most of its members. There may be those who take the view that Members are not grievously deprived or disadvantaged by the absence of Dr Paisley and Mr Robinson, but, having called Members for this vital debate, they should have had the courtesy to sit and listen to the debate — which they have not done. If this were a court of law —

**Mr Paisley Jnr:** Well, it is not.

**The Temporary Chairperson:** Order. The Member has a right to be heard.

**Mr Haughey:** If this were a court of law and the motion in front of the House were a charge, I would be moving now for the dismissal of the charge because the motion is wasteful.

**Rev William McCrea:** It is as well that the Member knows nothing about law.

**The Temporary Chairperson:** Order.

**Mr Haughey:** It is spiteful, frivolous, self-indulgent, and characteristic of the quarters from which it emanated.

One of the things that puzzled me on the day of the debate was that Members were assailed by the strong view from the DUP that the only guidance that Members had for the regulation of the House, and its order of business, is the slim little tome — or perhaps I should say tomb. It is certainly a very grave matter.

“This is all we have” they said. Dr Paisley spoke at length about procedure in the European Parliament and the Mother of Parliaments, as he calls it, and Mr Robinson also quoted from ‘Erskine May’ in support of their case. And what is their case, Madam Chair? Their case is that such precedence and guidance have no bearing here. How much more absurd can you get than that? There is no case to answer here.

**Mr McCartney:** Will Mr Haughey give way?

**Mr Haughey:** No.

Standing Order 11(1) provides that

“After a motion has been proposed and provided that each of the parties present has had a reasonable opportunity to contribute to the debate, any Member who has not already spoken to it, or to any amendment which has been moved, may move that the question be now put.”

That is on the paper, which we are assured is the supreme guide for this House.

**A Member:** Read the rest of the sentence.

**Mr Haughey:** I will read it in a minute.

There is therefore no question of Mr Wilson’s right to raise the motion, and Mr McCartney and others accept this. Standing Order 11(1) further provides

“and unless it shall appear to the Presiding Officer that such motion is an abuse of these Standing Orders, the question that the question be now put shall be put forthwith.”

What is an abuse of the Standing Orders? The Presiding Officer is empowered by Standing Order 11(1) to make a judgement.

On 18 January six UUP Members, seven SDLP, five DUP, five Sinn Féin, two Alliance, two NIUP, one PUP, one NIWC, one UKUP and one UUAP had spoken. Every party was given the right to speak. Every party made an input.

Let us look at the input that was made. It is instructive. To be fair to Dr Paisley, he did refer to the report in very generalised terms. He was followed, for his party, by Mr Campbell who devoted all of his remarks to decommissioning, a matter which was not on the agenda and was not dealt with in the report. Mr Wells followed for the DUP, and likewise did not speak about the report. Mr Shannon followed, and he dealt exclusively with the Good Friday Agreement and decommissioning. Mr McCartney then followed with the Good Friday Agreement.

**The Temporary Chairperson:** I will take a point of order. Could the Member please sit while I am standing?

**Rev William McCrea:** Is it in order that a Member should say that the Acting Initial Presiding Officer, on a previous occasion, when my hon Friend was speaking, permitted him to speak on something that was not relevant. Is it right that there should be such criticism of the Chair?

**The Temporary Chairperson:** This is not a point of order. I also ask that the Member stick to the relevance of the debate.

**Mr Haughey:** I am sticking entirely to the relevance of the debate. The debate is on whether we should have confidence in the Presiding Officer, and that is affected by whether he made a reasonable judgement on this occasion. Did this party have an opportunity to make an input into the debate. I am pointing out it did, and that it did not avail of it. I have listed the Members who made contributions — Mr Watson, Mr Carrick, Mr Boyd, Mr Roche. All those members of the anti-Agreement family had opportunities to speak, although they dealt almost exclusively with matters that were not before the House at all.

To argue that they did not get an opportunity to deal with the matter in question is clearly wrong and absurd especially in circumstances where almost none of what



they had to say was relevant. I quote Initial Standing Order 2(1):

“The Presiding Officer’s ruling shall be final on all questions of procedure and order.”

If I have any criticism of the Initial Presiding Officer it is that he showed a little too much indulgence to the codology, the guffawing, the sniggering, the catcalling, the schoolboy, schoolyard antics of the DUP and associated anti-agreement parties. They assert that this is a vital matter affecting everybody, but then rush to the door. The previous day Ulster was being sold out — a shameful betrayal — and they were behaving as though they were at the movies. There was laughter, guffawing and sniggering of a kind and duration that few of us have had the misfortune to see in the past.

Mr Robinson referred to the Committee to Advise the Presiding Officer. He is calling for the rule and the rubric to be quoted word by word. Where do the rules give CAPO the right to determine and regulate the business of the House? CAPO’s role is to advise the Initial Presiding Officer, and that is clearly laid down in the regulations that established CAPO. Its decision to allocate two or three days to this debate was indicative — not imperative. Those who are shamming and crying that they did not get an opportunity to make their views known had that opportunity but did not bother to deal with the issue that was before the House. The Initial Presiding Officer’s ruling was entirely valid, appropriate, and intelligent, and I support it to the hilt.

**Mr Hilditch:** Regrettably, it is necessary for this issue to be brought before the House. I welcome the opportunity to support the motion.

On 18 January, the Assembly was presented with the long-awaited report of the First Minister (Designate) and Deputy First Minister (Designate) on the future government of Northern Ireland. Its content was crucial to the whole community, and that was clearly identified by those who were responsible for formulating the business of the Assembly because two to three days were set aside for the debate. Having agreed the schedule at the outset, the Initial Presiding Officer was aware of the need to permit as much input as possible to the debate. He made a poor judgement in his decision to permit the Assembly to govern itself on this matter.

One of the main selling points of the agreement was the fact that a 108-Member Assembly would be put in place to bring about devolved government in Northern Ireland. Furthermore, it was agreed to increase the number of seats in each constituency from five to six — a change from previous decisions. That was to permit maximum representation from within our community, thus allowing the maximum contribution on behalf of our constituents.

For example, in relation to my constituency of East Antrim, if Mr Neeson had not been called in his capacity as leader of the Alliance Party, it is possible that no one from that area would have had the chance to express his views to the House, irrespective of whether he was pro or anti-agreement. That results in a serious under-representation of our communities and sends the wrong signals to the general public.

While the Initial Presiding Officer’s actions may have done a great disservice to many Members, he has also created a perception and a lack of confidence in the Assembly by the electorate. To many, it seems that when the going gets tough and the heat is on, the guillotine will be produced and the debate ambushed. That is the wrong message to send to the outside world. I have highlighted what the community expects in such circumstances, but there is also a need for equality within the House.

The Standing Orders were quoted by my colleague Mr Robinson. They state that closure occurs after a motion has been proposed and provided that each of the parties present has had reasonable opportunity to contribute to the debate.

Did the Initial Presiding Officer really deem this to be the case?

12.00

On previous occasions many parties had between 40% and 50% of their Members speaking in the debate. On 18 January 1999 the Democratic Unionist Party, the third largest group, had less than one third of its membership called despite the fact that all Members wished to speak. The Initial Presiding Officer had recognised this deficit on past occasions but failed, on 18 January 1999, to redress the matter and show equality.

After the community and the party, I as an individual, having been called by the Initial Presiding Officer, rose to speak but was ambushed and guillotined by the Initial Presiding Officer upholding the intervention of Mr J Wilson. If a Member has been called, his freedom of speech should be acknowledged, and any closure or putting of the question be put on hold. I have not yet received a satisfactory response to the question which I put to the Initial Presiding Officer on 18 January 1999.

On the question of individual Members’ participation, the issue must be raised as to why the Initial Presiding Officer determined a debate of two to three days, knowing the maximum time allocated to each Member and then, after five hours, allowed the debate to be closed. This indicates a serious misjudgement and clearly shows that a reasonable number of Members had not taken part in the debate.



Thirty Members may have contributed before the closure, but the time allocated would have allowed at least another 30 participants. If it had not been for the misjudgement of the Initial Presiding Officer many Members like myself from grass-roots Unionist and Loyalist backgrounds would have been able to give our views on issues raised in the report such as departmental structures, cross-border bodies, executives and, of course, the D-word — decommissioning.

It was, of course, the highlighting of the decommissioning issue which led to the unease among the Ulster Unionists, and despite assurances from the Deputy First Minister Designate that all would be listened to, both the Ulster Unionists and the SDLP contrived with others to force the Initial Presiding Officer to make a very poor decision.

While decommissioning was the word on most people's lips on 18 January 1999, the D-word today is democracy. If democracy cannot be upheld through freedom of speech then the wheelbarrow Mr Close referred to can be loaded up with democracy, wheeled down the mile-long driveway and dumped outside the gates on the Upper Newtownards Road.

I once again commend the motion in the hope that, in future, such blatant acts of denial of freedom of speech are ended and reasonable opportunities are afforded to constitutional parties and individuals who adhere to the democratic process.

**Mr Campbell:** Does the Member agree that it is more than a little hypocritical of the hon Member for Mid Ulster, Mr Haughey, to attack and lambast the Leader and Deputy Leader of this party for leaving the Chamber and then to do likewise within minutes of sitting down?

**Mr Hilditch:** I agree totally.

**The Temporary Chairperson:** I call Prof Monica McWilliams.

**Mr Paisley Jnr:** On a point of order. Mr Hilditch drew attention to page 473 of the Official Report, where he is reported as having said

"Having been ambushed and guillotined again, I am asking for a ruling on the putting of the Question. My freedom of speech has been affected. I had been told that I was to speak and was on my feet when I was interrupted. Was the putting of the Question *ultra vires*?"

You will note from the continuation of The Official Report that that question was not answered. It is important and incumbent upon yourself to give us a ruling on that matter.

**The Temporary Chairperson:** I do not understand the point of order being referred to.

**Mr Paisley Jnr:** The point of order is that during the course of his speech today Mr Hilditch has drawn attention to the fact that the Initial Presiding Officer at the last meeting and again this morning in his comments failed to give a ruling on the point he raised: the interruption of his speech by Mr J Wilson was *ultra vires* and therefore the putting of the Question was *ultra vires*.

**The Temporary Chairperson:** I understand the point you are making, and, certainly, a ruling was required and requested of the Initial Presiding Officer at the last meeting. It should be put to him at a later stage.

**Mr Paisley Jnr:** Further to that point of order. Given the confidence on this side of the House that our motion will be successful, how can I put it to him if he is not returned?

**The Temporary Chairperson:** Put it to the Initial Presiding Officer — whoever that may be.

**Mr Paisley Jnr:** I am putting the question to you, as you are in the Chair today, to make these rulings.

**Mr Farren:** If Mr Hilditch and Mr Ian Paisley Jnr looked further down the same column of the report, they would see, on page 473, that the Presiding Officer did give an answer to that question.

**Mr Paisley Jnr:** Further to that point of order, Madam Chair. You have not yet given me a ruling on this matter. It is not for another Member to supply you with his interpretation of a ruling; it is up to you to give a ruling on the matter. After Mr Hilditch spoke, three other Members made additional points of order that could be interpreted as being repetitious. Mr Hilditch's point of order was a completely separate matter, and he has not yet received a ruling from the Initial Presiding Officer.

**The Temporary Chairperson:** The Initial Presiding Officer will return to the Chair after this debate. It is more appropriate that he should deal in that matter.

**Ms McWilliams:** I welcome Ms Morrice in her position as acting Chairperson.

Our Initial Presiding Officer has had difficulties. It has often been said in the Chamber that this is not Westminster. Nor is it the Forum, which existed for two years before the Assembly. There seems to be much confusion about the Assembly's procedures. The Initial Presiding Officer has tried to interpret the Initial Standing Orders, and he has often made the point that he would like the Standing Orders Committee to provide him with final Standing Orders that could be approved by the Secretary of State. Until such time, he must follow the Initial Standing Orders.

The Committee to Advise the Presiding Officer is exactly that. It is a committee that advises; it is not a committee that rules. The final authority rests with the House. In allowing the closure motion on 18 January, the Initial Presiding Officer was asking Members whether they wanted the Question to be put then. Seventy-five Members said "Aye" and 24 Members said "No". In other words, the Chamber ruled that we move to close the debate.

The record of proceedings of 18 January shows that we asked the Initial Presiding Officer to close the proceedings earlier than the Wednesday morning, which, according to Mr Robinson, was when the debate should have closed. However, page 466 of Hansard quotes Mr Peter Robinson as saying that if it was possible to close by Tuesday night, the Initial Presiding Officer could do so. That shows, therefore, that we have already given the Initial Presiding Officer authority to close a debate earlier than was agreed in the Committee to Advise the Presiding Officer. However, the Initial Presiding Officer chose to ask the Assembly if the Question that would close the debate should be put.

We should, therefore, vote against today's motion and show confidence in the Initial Presiding Officer. He had no alternative to putting the procedural Question on that occasion.

From time to time, Members may not like the rulings of the Initial Presiding Officer, and there have been occasions when we have asked him to rule, in consultation with 'Erskine May', on whether some of the language and behaviour in this Chamber has been discourteous or unparliamentary.

We have heard rulings which may not please every Member, but if this Chamber is to operate, it must accept them. We may be unhappy with them but we must work to ensure that proceedings in this Chamber are not discourteous.

It does not help the Chamber, in its early days, that a vote of no confidence in the Initial Presiding Officer is sought. This is more a quarrel about the fact that some Members did not get to speak on that occasion.

The Initial Presiding Officer has had to take account of the number of Members present and of the mandate of parties and make rulings on who should speak and who should not. Some Members have been displeased when debates have been closed and not all have been able to put their positions. The Initial Presiding Officer might not get it right all the time, but I think that he has got it right most of the time.

I oppose the motion of no confidence in the Initial Presiding Officer.

**Mr Morrow:** I rise today as one of those who was deprived of the opportunity to speak on 18 January. The

motion before the Assembly today is one of no confidence in the Initial Presiding Officer.

I am a member of the Committee to Advise the Presiding Officer. Those who attend that Committee will recall that it decided that Monday 18, Tuesday 19 and, if necessary, Wednesday 20 January should be designated as the days for debating the report from the First Minister (Designate) and the Deputy First Minister (Designate). Everybody agreed that that was the best way forward.

It is often asked "What is a person other than his word?" When Mr Jim Wilson moved that the Question be now put, he did so knowing that he was breaking his word and a commitment already given. He found plenty of allies in his new-found friends in the SDLP and Sinn Féin/IRA. By so doing he has put future decisions of CAPO under the spotlight.

Never again can we place any confidence in what Mr Wilson tells us. Mr Wilson, the Ulster Unionist Chief Whip, should be in the dock today too, but he is not.

I will repeat what Mr Wilson said at a meeting of CAPO because the Assembly is entitled to know what motivates him. Mr Wilson said that, if expedient — his word, not mine.

He is nodding. He is saying that that is what he said.

**Mr Farren:** May we please have a ruling that this is a motion of no confidence in the Initial Presiding Officer, and not one dealing with the conduct of Mr Jim Wilson.

**The Temporary Chairperson:** I must ask the Member to remain with the relevance of the motion.

**Mr Morrow:** Mr Wilson is on record as saying that, if expedient, he would, of course, do those things in the future which would be an advantage to him or his party. He put "him" first.

We know what motivates Mr Wilson: himself. I took the time to check the definition of "expedient" in the dictionary. It is quite interesting. It means to do something based on —

**Dr McDonnell:** On a point of order. The last point of order seems to have been lost on Mr Morrow. I ask for a firm ruling that he must stick to the subject of the debate.

**The Temporary Chairperson:** May I remind the Member that the issue is one of confidence or not in the Initial Presiding Officer and not the movements or decisions of Mr J Wilson.

**Dr McDonnell:** If the Member persists, is it appropriate that he be ruled out of order?

**Mr Morrow:** I am trying to set the scene. The House carries out its business, and it is CAPO which decides what that business is. Never before, to the best of my knowledge, has the House or the Initial Presiding Officer refused to take the recommendations of CAPO.

**Mr J Wilson:** Will you give a ruling, Madam Speaker, on the purpose of the CAPO meeting? Does it take decisions, as has been said, or is its purpose to give advice to the Presiding Officer?

**The Temporary Chairperson:** It is clearly the latter. The purpose of the Committee to Advise the Presiding Officer is, as its name implies, to advise the Presiding Officer.

**Mr Morrow:** I repeat that CAPO's recommendations have never been turned down, and I hope that Mr Wilson will take note.

As I was about to say before I was interrupted, at least we know what motivates Mr Wilson. It has been said that he had additional reasons —

**The Temporary Chairperson:** May I remind you that the motion is on the matter of the Initial Presiding Officer and not of Mr J Wilson.

**Mr J Wilson:** I am enjoying it.

**Mr Morrow:** During the Adjournment debate on 18 January, Mr Tierney of the SDLP indicated that he had been under the impression that the debate would go on. He said

"I nearly voted along with the DUP tonight!"

Maybe he is prone to exaggeration.

**Mr Tierney:** That is what I said.

**Mr Morrow:** Yes, and he went on

"The reason was that I was told last week that I was speaking on Wednesday. At lunchtime today I was told that I was speaking tomorrow night —

the fellow was undoubtedly confused, but then most members of the SDLP are —

"and two hours ago I was told that I was speaking tonight."

To keep favour with his Chief Whip, he then said

"I am not criticising my Chief Whip"

for confusing me — my words, not his —

"but I will raise the matter at our next meeting."

**Mr Haughey:** On a point of order, Madam Chair. Standing Order 10(1)(iv) says that if any Member of the Assembly intentionally refuses to conform to any Standing Order, the Presiding Officer has certain powers. It is beyond dispute that Mr Morrow is not conforming to Standing Orders. He is not being relevant to the matter in front of us. I call upon you, Presiding Officer, to exercise your powers.

**Mr Campbell:** Further to that point of order, Madam Chair. I do not know what the problem is with our Chief Whip's speaking, but I have now counted five separate occasions on which people have tried to interrupt him with bogus issues to prevent him from completing his speech. He was prevented from making it two weeks ago, so can we allow him to make it today?

**The Temporary Chairperson:** Numerous points of order have been raised asking that the Member restrict his comments to those that are relevant to the debate. He has drifted from the point, and I ask him to keep to the subject matter. *[Interruption]* I will take those points of order. I have to say, however, that Mr Campbell made the point that his Chief Whip had been interrupted on a number of occasions and if I take these points of order, that will mean further interruptions.

**Rev William McCrea:** Why was Mr Haughey called? He had not asked for a point of order. He asked for it only after you had called him — let us be clear about that. He stood up and remained standing whilst my friend was on his feet making a speech — that is not the order of the House.

**The Temporary Chairperson:** I took Mr Haughey's point which referred to a Standing Order. Had he not begun his point, I would have asked him to sit.

There were three points of order raised — Mr Paisley Jnr, Mr Wilson and a third. Do you wish to put these points of order? If not, I ask Mr Morrow to continue.

**Mr Morrow:** Madam, had I been left alone, I would have been finished by now.

In case it has slipped anyone's mind, I want to draw the attention of the House to what was being debated on the day the guillotine was operated on Mr Wilson's initiative. It was, of course, a report produced by a so-called Unionist Mr Trimble and by a strident Nationalist Mr Mallon.

It is significant that a debate on that report — a report which was supposed to have far-reaching effects on the future of this country — was guillotined and that I and others were not allowed the time to speak. My view was that the report was not only rotten from the core but rotten to the core. I should have been allowed to give my observations on it, but I was prevented from doing so by those who see expediency as being the order of the day. It ill behoves those who behave in such a manner — stealing cheap points — but maybe it is better to have something like this happen early on in the Assembly because they can be dead sure it will never happen again.

In that report, a way forward for Northern Ireland was recommended —

**The Temporary Chairperson:** Please let me know in what way the content of the report is relevant to the motion.

**Mr Morrow:** Was it right for the Presiding Officer not to permit Members of the House to speak on that day even though they had already submitted their names? I conclude that he was wrong and that on this occasion he looked around and, under the pressure coming from the two largest political blocks, he wilted and decided to put the procedural Question. Everybody in the Assembly has a right to speak, but the Initial Presiding Officer was pushed by Mr J Wilson and others.

They were also wrong to use the term “expediency” to convey to the outside world that there was little debate or interest in what was happening in the Chamber. I hope that in the future parties will be given a better crack of the whip. Mr Trimble had problems that day, and Mr Wilson was aware of them — there were at least four Members on his bench who were prepared to deviate.

**Mr J Wilson:** On a point of order, will you please tell the House precisely what you are going to do? Several times you have informed the Member that he is out of order, but he clearly has no intention of paying you any respect. He is ignoring you. What are you going to do?

**The Temporary Chairperson:** There are one and a half minutes left for this Member. I have reminded Mr Morrow several times and referred to this as being the last time. I was grateful that in the last minute he did return to the motion, but then he left it again. The Member may have his last minute to speak, but I will remind him that if he strays once more from the no-confidence motion he will have to terminate his speech.

**Mr Paisley Jnr:** Further to that point of order. I hope you are going to use the same whip hand against other Members of the House when they stray. We had, for instance, Mr Haughey’s quite deliberate diversion about Assembly Members’ reputations, as well as points of order raised by other Members.

**The Temporary Chairperson:** Thank you for that. I will.

Mr Morrow, please continue.

**The First Minister (Designate) (Mr Trimble):** On a point of order. I have noticed that the clock has been stopped during these points of order. This is evidently a new practice. Does it apply only to points of order or also to interventions?

**The Temporary Chairperson:** I understand that the clock is normally stopped during points of order.

**Mr Morrow:** I am concerned about the way in which the Initial Presiding Officer handled the Assembly sitting on 18 January. Will he allow himself to be used again in future sittings? A precedent has now been established, and future sittings will be abused in the same way that we witnessed on 18 January. We must keep in mind Mr J Wilson’s warning that expediency will be the order of the day.

I believe that the Initial Presiding Officer was wrong to put the procedural Question on 18 January. He should have used his discretion and allowed the debate to continue until at least Tuesday.

The sitting was suspended 12.29 pm and resumed at 2.00 pm.

**Mr Douglas:** The Presiding Officer is supposed to act impartially, and the fact that this motion is being debated today shows, sadly, that many Members feel that he has not done that. The Speaker’s role is to provide guidance and help Members to rise above party politics and the factions which exist within this Chamber. The perception is that the Speaker has failed to fulfil that role.

“The arms issue must be tackled at the beginning with clear commitments given which will be honoured by actual decommissioning beginning in a short period.”

This statement from David Trimble shows, as far back as June 1996, the feebleness of the Ulster Unionist Party leadership’s confronting of Sinn Féin. In January 1999 Members were asked to approve a report which contained stand-alone cross-border bodies with executive powers.

**The Temporary Chairperson:** May I ask the Member to restrict his comments to the motion.

**Mr Douglas:** Madam Chair, there are references to the motion in every paragraph of my speech.

We were told that we had been ambushed. The togetherness of Sinn Féin and the Ulster Unionist Party in that ambush says it all. The depths to which the Ulster Unionist Party has sunk beggars belief. The coalition of the Ulster Unionist Party, Sinn Féin/IRA and the SDLP shows the future in store for principled, anti-IRA Unionists.

**Mr McClarty:** On a point of order. Is the Member for East Londonderry keeping to the motion?

**The Temporary Chairperson:** I was very generous, during the earlier part of the debate, over the relevance of issues. I ask those Members yet to speak to be extremely careful in keeping to the motion under debate. I will not be so generous this afternoon.

**Mr Roche:** I do not think that it is possible to determine whether or not a Member has kept to the



issue in question until he has completed his speech. It would be quite arbitrary to make a ruling on this.

**The Temporary Chairperson:** I acknowledge the point of order made by Mr Roche. However, it should be obvious to all Members what is relevant to the debate and what is not. I ask every Member to adhere to the motion.

**Mr C Wilson:** You have said that this morning you were generous in allowing certain leeway, but that this afternoon you intend to adopt a different approach. I do not believe that anyone could consider that to be fair and proper.

**Rev William McCrea:** Mr Douglas had been speaking for one minute and 35 seconds when it was suggested that he was straying from the subject. He had not started to develop his argument. That treatment was described as lenient. Surely it is wrong to suggest that after less than two minutes one can decide that a Member is straying from the subject. Mr Haughey spoke for 10 minutes and not once touched on the subject.

**Rev Dr Ian Paisley:** Further to that point of order. Is it right for Mr Haughey to attack me in my absence when I was at the funeral of a close friend? In any debating forum it is sensible to know the reason for a person's absence before commenting on it. I have a good parliamentary record, and I know that people should remain in the Chamber. After Mr Haughey made his speech he left the Chamber. I had to attend a friend's funeral, and I make no apology for that.

**The Temporary Chairperson:** I do not think that that was a point of order. I should like to give Mr Douglas the opportunity to continue.

**Mr Poots:** Further to the point of order. Every Member must have an opportunity to develop his speech. It is unfair for experienced Members to use points of order to disrupt the speeches of new Members. I ask for a ruling on that abuse of the system.

**The Temporary Chairperson:** I agree that Mr Douglas should have the opportunity to develop his speech.

**Mr Gibson:** Further to the point of order. Is it not pertinent that on this occasion the Arthur Daleys of Unionism are already trying to derail the debate by engaging in their normal political promiscuity?

**The Temporary Chairperson:** That is not a point of order. Mr Douglas, please continue.

**Mr Douglas:** Many Members tell us that they are democrats and must allow that I am entitled to speak.

Every paragraph in my speech contains a reference to the motion. What did the Ulster Unionists achieve by voting with Sinn Féin in an ambush against their fellow

Ulster citizens? Our refusal to acquiesce in approving Sinn Féin's entrance into government has caused a political impasse. Accepting armed terrorists in an Executive is morally wrong. Token gestures of Semtex and other explosives will not suffice. Not to debate the report in full was also morally wrong.

No amount of smart moves, shady dealings or strokes to stifle debate, with or without the help of the Initial Presiding Officer, can hide the emerging voting pattern involving Sinn Féin and the Ulster Unionist in a coalition. Why have a debate at all? I put to David Trimble the question that he posed to the Secretary of State, Mo Mowlam, in September 1997: how can anyone justify bringing to the table of democracy those who have been responsible for murder and other iniquitous crimes for which they have not paid their debt to society? By their actions, David Trimble and his negotiating team have done exactly that. These people will not now be brought to justice. David Trimble has secured a virtual amnesty for IRA and INLA murderers and bombers.

In 1997 David Trimble told the people "We are here not to talk to Sinn Féin but to confront them and expose their Fascist character." However, on every occasion in 1998 and 1999 the Ulster Unionist Party has voted with Sinn Féin/IRA — its friends in the Assembly. Not even a fool would call that confrontational. Instead, the Ulster Unionist Party has bestowed on IRA/Sinn Féin a worldwide credibility usually reserved for statesmen. It regularly meets privately with Gerry Adams.

**Mr McGimpsey:** Madam Chairman, this has got absolutely nothing to do with the motion. This is another example — *[Interruption]* Members are engaging in a sixth-form debating routine.

Mr Douglas has said nothing that bears any relationship to the motion.

**The Temporary Chairperson:** A l t h o u g h Mr Douglas said that his points were relevant, there are certainly some that relate more to the Ulster Unionist Party and Sinn Féin than to the motion. I remind him to speak to the motion.

**Mr Douglas:** In approving the January report, one must ask if this will provide an opportunity for Sinn Féin to get into government? For my colleagues and me the risk is too great. It would be like giving a seal of approval to Sinn Féin/IRA and any Government that they are accepted in while they maintain their armed capability. The cutting short of the debate was a great disservice to those who elected us, but it exposed the togetherness of Sinn Féin/IRA and the Ulster Unionist Party.

Obviously the Ulster Unionist Party feels that this is not the case. They guillotined the anti-Agreement Members, but at what price? Despite the ambush, our

heads are still on. There was much confusion among the Unionist Assembly Members about the ramifications of voting on the report. Did the fear of what they were voting for forge the alliance?

Many do not want to see Sinn Féin/IRA take part in an Executive without decommissioning. Why punish our own people again and again? Will we be ambushed again today? Now Unionists are expected to approve cross-border bodies, with stand-alone executive powers, without one gun being handed over. Those who had any doubt that the approval of this report was a back-door passport to allow Sinn Féin/IRA into an Executive should have voted against it. The Ulster Unionist Party leader could have defended that action by explaining that the IRA are unreconstructed terrorists. Instead, the party choose to ambush fellow Unionists by jumping into bed with its friends, IRA/Sinn Féin. This motion would be unnecessary if protocol had been observed.

**Mr Foster:** Is the Member speaking to the motion? I am not making any excuse for Sinn Féin, but he has gone off the board completely.

**The Temporary Chairperson:** Mr Douglas, your references to guillotining and ambushing are relevant, but you have approximately four minutes left and you must refer to the motion and not to other issues.

**Rev Dr Ian Paisley:** On a point of order, Madam Chairman. How can it be in order for you to declare that what we are discussing is a debate that was brought to an untimely end by the Chairman? Surely the Member is entitled to go into the details of the debate and of the way his party was dealt with during it. Fifty per cent of the Members of your party spoke in the debate, but now, when a Member is describing what took place and making the point that his party did not get a fair say, you rule that that is not relevant.

This is a very wide debate. It deals with the Presiding Officer and says that Members have no confidence in him. Members could roam from Dan to Beer-sheba in this debate. Members such as Mr Foster and Mr McGimpsey need to go to the House of Commons to see how much goes into a debate there. Of course, they will never make it.

2.15 pm

**Mr Douglas:** Madam Chair, I have not much more to say. Indeed, had certain Members not interrupted, I would have finished long ago. This motion would have been totally unnecessary had proper protocol been observed. The voting alliance of the Ulster Unionists and Sinn Féin has now been exposed. I hope that such motions will be unnecessary in future. I support the motion — free speech is a right, not a privilege. I hope that the behaviour of the Presiding Officer, which has

caused so much offence and hurt, will never be repeated in this Chamber.

**Mr M Robinson:** I am one of the Members who were listed to speak on 18 January in a debate which was originally billed as a three-day event. I understand that it had been agreed to by all the parties at a CAPO meeting. I contend that the Initial Presiding Officer — namely, the Member for East Belfast, the Lord Alderdice — in allowing the closure motion to be put on Monday 18 January, did quite wantonly and outrageously, and apparently without regret, disenfranchise a significant proportion of the electorate in my constituency.

I also assert that by his action he deliberately pandered to the wishes of certain pro-agreement elements in the Ulster Unionist Party and beyond. Had I been able to speak on 18 January, as it was my steadfast hope to do, I might well have concluded that the Assembly, having been set up with such ill-advised haste following the signing of the Belfast Agreement, had resulted in an unholy mess. The befuddled thinking behind the emanating documentation, including the report presented to the Assembly on 18 January by the First Minister (Designate) and the Deputy First Minister (Designate), beggars belief.

The First Minister (Designate) attempted to explain away his folly by telling Members that a final report would be necessary as there were certain areas of government which had not been fully considered. It was due to his ineptitude that these essential areas — for example, the Child Support Agency — were overlooked, forgotten or ignored. They should have been included in the agreement between the Ulster Unionist Party and the SDLP reached on 18 December 1998. Perhaps Mr Trimble should be congratulated — after all, he seems to have made a virtue of his crass stupidity.

It seems that Mr Trimble's stupidity — some would say infamy — knows no bounds. In a recent letter he says

“critics have complained that the allocation of 10 departments will not reflect the community balance.”

**Mr Farren:** Madam Chair, I must again draw to your attention that what Members are hearing is a contribution dealing with the content of the First and Deputy First Ministers' report of 18 January, and not with the motion being considered today.

**The Temporary Chairperson:** I remind Mr Robinson, as I have reminded his Colleagues, that this debate is about the Initial Presiding Officer and not the First Minister (Designate).

**Mr M Robinson:** Mr Trimble penned these words:

“critics have complained that the allocation of 10 departments will not reflect the community balance.”

**Mr Farren:** The Member is continuing to focus on the First and Deputy First Ministers’ report. I ask you, Madam Chair, to rule on whether or not the Member is adhering to the motion.

**Rev Dr Ian Paisley:** Is it in order for a Member to say to the Chair that he must insist?

He can insist on nothing; he must abide by your ruling.

**The Temporary Chairperson:** I remind Mr Robinson that he was continuing in what appeared to be the same vein. Can he please return to the motion?

**Mr M Robinson:** Madam Acting Initial Presiding Officer, I must request your indulgence. Is it not the case that when a Member is making a maiden speech, as is my honour today, he is normally afforded a greater degree of courtesy and latitude than I appear to be receiving?

**The Temporary Chairperson:** My apologies, Mr Robinson. I was not aware that this was a maiden speech, and I should like you to continue, without interruption if possible. However, you must restrict your speech to the subject of the motion.

**Mr M Robinson:** The most glaring, startling omission from the report that was presented to the Assembly on 18 January is the total failure to address and, more importantly, to resolve the issue of decommissioning.

**Mr Haughey:** On a point of order, Madam Chairman. It is not consistent for the Members involved in this ludicrous exhibition to insist that these are the only Standing Orders under which we can operate. Furthermore, these Orders make no provisions for a Member making a maiden speech to be given licence to disregard the motion before the House. I ask you to rule that the Member’s remarks are not relevant to the debate and to call upon him to discontinue.

**Mr Paisley Jnr:** Further to that point of order. You have made a ruling. Will you please ask Mr Haughey to keep it down?

**The Temporary Chairperson:** I have made two rulings. The first is that there should be no inappropriate interventions. The second, which is the order of today, is that the Member should keep to the motion. I ask for order and for there to be no further inappropriate interventions. Mr Robinson has six minutes left.

**Mr M Robinson:** The authors of the report cannot even bring themselves to pay lip service to the essential

issue of decommissioning. Why is that, since this issue renders by comparison all other issues redundant? Mr Trimble’s letter dated 8 January states

“The Ulster Unionist Party has now fulfilled all of its obligations under the Belfast Agreement. There remains only one party still to honour its commitments, and it is Sinn Féin/IRA on whom maximum pressure must be now exerted. As your leader I wish to assure you that Sinn Féin will not be included in the agreement that I have referred to above, if Sinn Féin/IRA do not honour their commitments to decommissioning made under the Belfast Agreement. If they do not, the Ulster Unionist Party will not form an Executive that includes Sinn Féin”.

In illustration of a political reality, the dogs in the street and the cows in the field are often referred to. They, together with everyone else in Northern Ireland, know full well that Sinn Féin/IRA have no intention whatever of effectively dealing with the issue of decommissioning.

**Mr Farren:** We are in grave danger of bringing the House into disrepute by contributions that are outside the terms of the motion. I seek your ruling on the continuing disregard of your earlier rulings on this matter.

**Mr Campbell:** I raised the issue with the Chair. Two weeks ago there was an attempt, which is the subject of today’s motion, to deprive Members of an opportunity to speak. That attempt succeeded, and that is the issue that we are addressing. Other avenues are being used to deprive Members of their democratic right to speak. You should exercise your authority, Madam Chair, and request that Members desist from attempting to stop a democratically elected representative from making his maiden speech.

**Mr Haughey:** Further to Mr Farren’s point of order, not only are the Member’s remarks irrelevant, and persistently irrelevant despite the advice of Madam Chair and of Members who have intervened, but it is clear that he and his colleagues are trying to overturn the democratic decision of the House by creating circumstances in which they can make the speeches that they were unable to make at the previous plenary session. That is an abuse of the Initial Standing Orders, and I ask you, Madam Chair, to rule on that.

**The Temporary Chairperson:** By Standing Order 8(6) I may direct a Member who persists in irrelevance or repetition to discontinue his speech. I mention that as a warning. I will allow the Member another chance, but if he moves away from the subject of the debate, I will direct that he discontinue his speech.

**Mr P Robinson:** On a point of order, Madam Initial Presiding Officer. You mention a Standing Order about tedious repetition. Will you rule that it also relates to those who repeat the same point of order time after time



with the sole intention of interrupting the Member who is speaking?

**Rev Dr Ian Paisley:** Further to that point of order. You have ruled that you wish the Member to continue his speech. You do not want interruptions. Some Members obey your ruling only when it suits them. When it does not, they try to silence other Members.

**The Temporary Chairperson:** When a Member is making his maiden speech, he should be allowed to speak without interruption. It is also important that the speech is relevant. I shall now ask the Member to finish his speech and to bear in mind my warning in relation to Initial Standing Order 8(6) should he move away from the subject of the debate.

**Mr P Robinson:** On a point of order, Madam Acting Initial Presiding Officer. The clearly established precedent is that on a maiden speech a Member is given much more flexibility in terms of relevance.

**The Temporary Chairperson:** I have been flexible. I ask for no further interruptions so that the Member can finish his maiden speech.

**Mr M Robinson:** Thank you, Madam Acting Initial Presiding Officer. You may be relieved to hear that I have almost finished.

Is it not disingenuous of the Ulster Unionist leadership to beat their chests and claim that without decommissioning there will not be an Executive that includes Sinn Féin? These same Ulster Unionist leaders lied when they told the Unionist electorate that terrorists would not be released from prison until decommissioning had taken place.

**Mr J Wilson:** I asked the Initial Presiding Officer what authority you would have, Madam Chair, and he told the House that you would have the authority that is given to him. You have heard umpteen points of order. Will you now rule that this Member is out of order?

2.30 pm

**Rev Dr Ian Paisley:** No Member has a right to direct how you rule. No one can ask the Speaker to rule in his favour. Where does the Member think he is — Glengall Street?

**Mr M Robinson:** To conclude, as one of those who suffered as a result of the scandalous decision unilaterally taken by the Initial Presiding Officer, Lord Alderdice, I cannot now, or in the future, be comforted that he will be any more judicious than he has been to date in looking after the interests of Back-Benchers. Their fate is a pitiful one.

How are we to be heard? What arbitrator can we turn to in the face of high-powered political predators who wantonly call in the weapons of expediency to

guillotine discussion? How can we ever stimulate our constituents if the roar of our rhetoric is to be denied? The sole interest of the Initial Presiding Officer seems to be the aiding and abetting of ruthless party managers who will stop at nothing in order to foist an unwanted and rejected agreement on the majority of the Unionist people of Northern Ireland.

I therefore support the motion.

**Mr Ford:** I thought that Mr M Robinson had a point of order to develop before I spoke.

There have been a number of references in this debate to the meeting of CAPO. It was hard to find them in among the diatribes against the Ulster Unionist Party, but there were one or two. I wish to establish clearly what happened in those discussions in CAPO because not one but two meetings of that Committee were called to consider the arrangements for the plenary session on 18 January 1999. The normal CAPO meeting was held on 11 January 1999, and at that meeting a suggestion was made which led to a consultation on extending speaking time.

Proposals on which there was consultation were that the proposer should have up to 30 minutes instead of 20 minutes; that all parties in the first round should have 20 minutes rather than 10 minutes; that there should be wind-up speeches for the larger parties of 20 minutes (a precedent); and that the winding-up by the proposer of the motion should be extended to 20 minutes. Those would have been major changes in the time allowed for Members to speak.

We also discussed the length of time for debate at that meeting, and we talked about setting aside Monday and Tuesday with the possibility of running on into Wednesday. We never talked about a three-day debate, but we did, when we were discussing longer speeches, refer to a two-day debate. Consultation was required on that as well as on other issues relating to the motion to be debated. To have changed the length of the speeches would have required a variation of the Standing Orders, and that could only have been done by leave of the House.

We needed to consider the matter and meet again, which we did on Friday, 15 January 1999. There was no agreement at that meeting on changing the length of speeches, so we had no further discussion. Perhaps, at that point, we should have had more discussion.

Perhaps the entire membership of CAPO was at fault in considering whether we needed so long if the speeches were going to be shorter. It could be argued that we should have discussed it. What is not true is the kind of suggestion that has come from several DUP Members that we had agreed a three-day debate when we knew there were only going to be 10-minute speeches. That is not the case. What we did was



ill-considered, but when we decided not to change the length of the speeches, clearly a change was made to the length of time required for the debate as a whole. We had originally been allowing for the possibility of longer speeches.

What we established at that point is what we have established today: this debate has absolutely nothing to do with whether we have confidence or not in the Initial Presiding Officer. We are not discussing the issue in the way CAPO discussed it or voted on it. It is quite clear from the speeches from the DUP and the UUAP that they are merely trying to rehash the debate that was shortened on the 18 January 1999, and to discuss this any further is a waste of time. There are other more important matters to discuss in a fortnight's time and much more to do. Since the DUP is incapable of talking to the motion it has proposed, it, like I, should cease speaking now.

**Mr Clyde:** I support all that has been said by my DUP colleagues today. I have no confidence in the Initial Presiding Officer because of the way that he acted during the debate on 18 January when he allowed a guillotine motion to bring to an end a debate that was very important for Northern Ireland. I question his judgement and the reasoning that lay behind his allowing the premature closure of what had already been agreed would be at least a two-day debate.

It was a false statement levelled against the DUP and democracy, although one could say that his judgement was in line with the so-called peace process, which, by its bending of the rules, denial of the truth, and "Yes" campaign's spin doctoring, was deforming democracy to suit its own ends. By his actions on 18 January, the Initial Presiding Officer denied me democracy. True democracy is a precious jewel with many bright facets, including the freedom of speech and the opportunity to exercise that freedom. By allowing the guillotine motion, Lord Alderdice denied me the opportunity to speak during the debate.

I object to the formation of 10 Government Departments when only seven are required to run Northern Ireland efficiently. Three extra Government Departments will add an additional £90 million to the Northern Ireland budget — money that would be better spent on our hospitals, education and infrastructure. However, it seems that Ulster Unionist Party Members — even against the better judgement of their own Westminster MPs and European MP — are determined to have "jobs for the boys".

On 18 January the Initial Presiding Officer decided that democracy was downgraded for all, not just me. As the DUP representative for South Antrim I have recently received views from many outraged Unionists. They expected that such an important subject as the proposed future structures of the Government of

Northern Ireland would have been afforded at least the time agreed during the Committee meeting — namely, two days. They were not surprised that the Ulster Unionist Party Member for South Antrim moved a motion to close off debate. It seems to be more important for the Ulster Unionist Party to keep their new-found friends in the SDLP and Sinn Féin happy. Mr Trimble was quoted in the 'Irish News' on Tuesday 29 December as having said

"we are, I think, fast becoming inseparable."

This newly formed alliance between the UUP and SDLP Members worked well in order to bring about the guillotine motion, and the Unionist majority is asking what other tricks lie in store from these new-found friends.

I support this motion of no confidence motion. The Initial Presiding Officer's actions on 18 January added to a process that will see democracy being demolished. Some Members know all about demolishing. They have demolished lives, families, friends, towns and villages. All they seem to know is how to destroy and demolish, and they are now involved in a process of demolishing democracy. These might seem like strong words, but it is my honest opinion and that of the majority of Unionists with whom I am in contact that this is pulling down democracy. The process is clear to see — for example, the issue of decommissioning, or should I say the total lack of it.

Democracy has not been well-served: this issue is continually side-lined by some and pushed further down the pipeline by others. No, democracy has not been well served. Nor was it well served when Lord Alderdice took the decision on Monday, 18 January to move the guillotine motion, a decision which, to many inside and outside this Assembly, was taken rather quickly. I was amazed at the speed of that decision if, indeed, he had no pre-knowledge of what was going to happen. It was all settled rather quickly.

I am sorry that, for the reasons I have given, Lord Alderdice does not give me, or the people I represent, reason to have confidence in him.

I support fully the DUP's no-confidence motion.

**Mr Foster:** It was not my intention to become embroiled in this debate, but I do contend that the motion is uncalled for and is of shabby appearance. It is really an attempt to redress injured pride rather than be constructive for the benefit of the people of Northern Ireland.

I do not agree with all the philosophy of Lord Alderdice, nor, I am quite sure, does he with mine. However, I do contend that he performs the onerous duties of Initial Presiding Officer of the Assembly with great skill, consistency of integrity, impartiality and

obvious responsibility, and that has to be admired. He brings commendable dignity to his role and to the Assembly. I am not convinced that there are many others who could do equally or even nearly as well.

What was his problem a couple of weeks ago? He carried out his responsibilities — nothing more and nothing less. The meaning of Standing Order 11(1) which has been mentioned before — and I will not read it again — it is very clear. Thus I contend that this motion is shabby; is intended to be disruptive; and is sheer hypocrisy. It is an endeavour to destabilise the Assembly by stone-walling, filibustering and freebooting methods. It is pitiful, unforgivable, very base and typifies low-grade politics.

There are Members of the Assembly who, when we talk about origins, profess loud and lustily the Word of God. My experience here and at the Northern Ireland Forum, is that many Christian virtues are lacking. There are biblical words that apply to all of us:

“He that humbleth himself shall be exalted but he that exalteth himself shall be abased.”

I make that point today because what we have is self-gratification — an attempt to redress damaged pride, which falls short of Christian virtues. I am told that pride was a greater share than goodness of heart. *[Interruption]*

**Mr Paisley Jnr:** On a point of order, is any of this Member's speech relevant to the debate. He was quick to insist that quotes and points raised by Members on this side of the House were not relevant. Surely his speech so far has been irrelevant.

**The Temporary Chairperson:** Although you have mentioned the motion, you have not dealt with its subject, which is that this Assembly has no confidence in the Initial Presiding Officer. You have referred to the context of the motion; I would prefer now that you deal with its content.

**Dr McDonnell:** Is it in order for those Members in the back corner to behave like boot-boys and thugs while somebody is speaking?

**The Temporary Chairperson:** May I have order please.

**Dr McDonnell:** Madam Chair, I am fed up listening to the insults that have been traded. *[Interruption]*

Madam Chairman, I cannot be heard.

**The Temporary Chairperson:** Order.

**Dr McDonnell:** This is bringing the House into total disrepute. I do not mind the juvenile delinquents on the Back Benches, but Mr Robinson should know better. He is hurling insults at our Colleague who is

trying to speak. It is up to you, and not Mr Robinson, to rule on this.

2.45 pm

**Mr Campbell:** Madam Chair, will you make a ruling on the comments made by the Member for South Belfast. While pointing in this direction, he described Members as “bootboys and thugs”. May I ask you to ask him — no, to direct him — to withdraw those remarks immediately.

**The Temporary Chairperson:** I would like to draw Members' attention to the unruly and unparliamentary behaviour which we have seen in the last 30 minutes. It is inappropriate. We are not paying each other proper parliamentary respect and courtesy. Members should speak to the Order Paper and observe proper order in the Chamber. I would ask Dr McDonnell to reflect on what he has said.

**Mr P Robinson:** On a point of order, Madam Acting Initial Presiding Officer. May I point out that this is not a matter of choice for the Member for South Belfast. He has used unparliamentary language, and if it is allowed to remain on the record, similar language will be used by other Members in the future, a precedent's having been set. Clearly it was unparliamentary, and the Member should be asked to withdraw it. Then we can leave it at that.

**The Temporary Chairperson:** I have asked the Member to reflect on what he has said.

**Dr McDonnell:** I did not refer to the Members in the far corner as “bootboys and thugs”; I said that they were behaving like bootboys and thugs. I will withdraw the remark, if that will make a useful contribution to the debate.

**Mr Ervine:** On a point of order. It is perfectly legitimate for the Member to give us the reason we are having this debate. If it is acceptable to refer to what took place at a meeting of the Committee to Advise the Presiding Officer in order to provide the background to criticism of decisions made by the Presiding Officer, it is perfectly legitimate for the Member to give reasons for the behaviour of these detractors.

**Mr McFarland:** I wonder if Mr Foster recalls the endless Friday afternoons at the Forum, when we sat and listened to tome after tome of speeches from the DUP's back-room speech factory.

**The Temporary Chairperson:** What is the point of order?

**Mr McFarland:** It is not a point of order. My Colleague agreed to take an intervention.

We owe a debt of gratitude to my Colleague for introducing the guillotine motion. By doing so, he

saved us from having to listen to endless prattling. I think Mr Robinson is frustrated because he lost his speech. His party must be thoroughly embarrassed at being caught on the hop in this way.

**Mr Foster:** I take Mr McFarland's point. That is why I referred to virtuousness. As Mr Ervine said, I was trying to explain why certain Members are speaking to the motion in this way.

In conclusion, I would say that we reprove, not in order to correct, but in order to persuade them that we are free from faults ourselves. I reject this motion because I find it repulsive, hypocritical and totally unnecessary.

**Mr Hay:** I have listened attentively to the debate, and I have heard the word "ambush" being used — some Members in this Chamber know all about ambushes. It was rather sad to see the Ulster Unionists get involved in an ambush on fellow Unionists on 18 January, to try and stifle debate in this House.

It was also interesting to note that they waited until a member of the Democratic Unionist Party got up to speak before Mr Wilson brought the guillotine down. They were not on their feet trying to stifle debate when Sinn Féin/IRA was speaking. On 18 January the Ulster Unionists, along with the SDLP and Sinn Féin, knew exactly what they were doing — strange bedfellows.

Who informed the Initial Presiding Officer of the timing of the guillotine motion, and when? Lord Alderdice obviously knew that the debate was not going to last until Tuesday or Wednesday, and there are a number of questions he must answer. Clearly the SDLP knew all about it, because during the debate on housing that evening, a Member referred to the situation. His information on the day was that the debate would end in a few hours. Obviously it was a conspiracy on the part of the Ulster Unionists, the SDLP, and their good friends in Sinn Féin.

For them to come into this House and get into bed with Sinn Féin in a conspiracy is hypocritical. The Ulster Unionists knew —

**Mr J Wilson:** Will the Member give way?

**Mr Hay:** I will not give way. Sit down. The Ulster Unionists knew exactly what they were about. That is the sad reality.

**Mr Foster:** The Member is drifting further away from the motion than I did, and I was admonished for doing so. The Member has gone off the track altogether. He is not speaking to the motion.

**The Temporary Chairperson:** I have been listening very closely. The Member has been moving away from the motion in the last thirty seconds. Would he please return to it?

**Mr Hay:** Forgive me for moving away from the motion; that was not my intention. I have been interrupted so many times by Mr J Wilson, who seems to have no problem when it comes to interrupting DUP speakers. The Ulster Unionists have added very little to today's debate — I could count those who have spoken on the fingers of one hand — but they are good at interrupting and making points of order. They make no points of order when the SDLP or Sinn Féin are speaking. I saw Mr Wilson giving instructions earlier; perhaps one of them was not to interrupt SDLP or Sinn Féin, but when a DUP man gets up to speak, make sure that he is interrupted.

**The Temporary Chairperson:** Please adhere to the motion.

**Mr Hay:** I support this motion. Lord Alderdice has a number of questions to answer about his rulings on 18 January. It is a conspiracy — and this is what the Ulster Unionists cannot seem to understand, for whatever reason — by the Ulster Unionists, SDLP and Sinn Féin. In the last 30 years, certain gentlemen on my right have happily ambushed a number of people and, on 18 January, the Ulster Unionists were happy to get into bed with them and ambush the Democratic Unionist Party. That is sad.

**Mr Paisley Jnr:** I have listened with interest to the debate and also to the time-wasting by many of the Members opposite, particularly SDLP Members. They have accused others of bringing this House into disrepute but, by their own actions, have been party to doing the same thing in the use of unparliamentary language by the Member for South Belfast and by the time-wasting effort of the Member for Mid Ulster, Mr Haughey, who constantly made frivolous and repetitive points of order he had been ruled out of order.

The DUP has brought forward this motion of no confidence because the procedures used on 18 January ought not to have been used. Mr Hilditch was very clear — he was denied his right to free speech. Two other colleagues intended to make their maiden speeches and were denied the opportunity to speak and raise issues. Such issues are at the heart of the establishment of this Assembly and at the heart of the progress of democracy in Northern Ireland.

Others have raised the question of balance, including Members from the parties opposite. There was no balance given to the parties in the debate on 18 January. That is why we found Lord Alderdice's ruling so irreconcilable. Less than a quarter of my party's speakers were given the opportunity to express their point of view. Less than a third of the entire House had the opportunity to put their points to the Assembly. Other parties got considerably more than a quarter, some got 50% and one Member, Mr Hutchinson, got



100%. That balance was totally unfair; there ought to be balance given, especially to a party with a large mandate like the DUP which is the third largest party in the Assembly.

The sequence of events in the Chamber indicates that the Initial Presiding Officer was a party to a set-up, a conspiracy to stifle free speech and free debate in this Chamber. It is quite obvious that there was a series of nods and winks indicating that if the debate were cut short and those who opposed the report of the First and Deputy First Minister (Designate) were silenced, then the Initial Presiding Officer would be able perhaps to secure his position. A Presiding Officer or a Speaker should have neither eyes to see nor ears to hear any matter that goes against the interests of the Back-Bench Members of this House.

On 18 January Lord Alderdice so abused his position that he breached the trust and confidence that Members must have in him to be fair and impartial. He abused his position in connivance with a party or parties to the detriment of the rights of Back-Bench Members. That is unforgivable. If we cannot trust the Presiding Officer to uphold our rights who can we trust to ensure that we have free and fair debate in this House? This is not a personal matter against John Alderdice, rather it is about the abuse of the privilege and trust given to him by the Members of the Assembly.

This debate has a second purpose which is to ensure that precedent is not established by the faulty application of the procedural motion to vote without there first being a complete debate. Lord Alderdice's actions were wrong, and this House should censure them. I have listened to the one-dimensional argument of the Ulster Unionist Party and the SDLP. Since 18 January those parties have complained that the debate was repetitious. So what if it was repetitious? Mr Haughey drew attention to many of the speeches made by Members from this side of the House and tried to answer their points; he failed to answer their points but did draw attention to the fact that several points had been raised. From what he said, it was certainly not repetitious.

3.00 pm

Members are entitled to say what is on their minds. If they believe in the same policies and share the same objectives, then the debate will have many facets. The Ulster Unionist Party does not understand about sharing the same ideas because many of them have different ideas.

It is very interesting to hear SDLP Members, in particular, lecturing about repetition. How often we have been subjected to the single transferable speech of their Leader "The French are still French, and the Germans still German. You cannot eat a flag." If SDLP

Members are sick of repetition, perhaps they should ditch their Leader. Did they not realise they had a lot to gain from a repetitious debate? They could have said "It had petered out. They did not have the ability to keep the debate going." They chose a different tack, the subtlety of which was lost on myself and many others: they chose to silence people they claimed were being repetitious. Their tactics were lost on many people inside and outside the House.

The First and Deputy First Ministers (Designate) lost the moral high ground by bringing forward the motion, and therefore, they had to seek a procedural mechanism to prevent the debate from flowing. They were angry and could not take the heat. One defector had already decided that he was going to cross to this side of the House, and they knew that if the debate continued over two days and public pressure mounted, more Members would feel under pressure.

On the day of the debate Mr Roy Beggs Jnr was reported on the front page of the 'Belfast Telegraph' as saying that he would have to vote against the report because of its contents. Yet he had to vote with the report. We believe that he was pressurised to do so. If another day had been allowed for the debate, perhaps he would have had the freedom he wanted during that vote.

We then had the blatant misrepresentation by the Deputy First Minister (Designate) that he had been guillotined and if he could be guillotined, then everyone else could be also. The Deputy First Minister (Designate) was not guillotined, and he knows it. He wanted personal, special privileges and extra time for himself, not for his party. He thought that he could then force the rest of the House to accept that he had special privileges.

Having listened to the Deputy First Minister (Designate) over the years, I know he would like special privileges. He used to tell us that when he came to this building his flesh crawled when he had to pass that terrible statue of Carson. He also told us that when he was in the talks he hated sitting at that table from Gosford Castle.

But the baubles of office, the bulging pay cheque from the British Exchequer and his new-found polite tones have made him believe that he has privileges above and beyond other Members of this House. He has not. He has the same privilege as every other Member — the right to be elected and speak on behalf of their constituents. Unfortunately, on 18 January, he was party to a conspiracy to deny other Members the opportunity and privilege to speak on behalf of their constituents. He should be ashamed of his behaviour and of the excuse he made after the debate.



On 18 January the country witnessed the Ulster Unionist Party's, the SDLP's and, indeed, Sinn Féin's fear of public debate. People witnessed one Ulster Unionist Party Member not doing anything special — holding to his election pledge — but they also witnessed 27 others abandoning theirs. The country saw that and rejected it. Had the debate been allowed to be continued, there might have been a better decision taken and we might have had the opportunity to explore other avenues — for instance, the make-up of the cabinet, the Executive and the Departments.

In the 'Coleraine Chronicle' of 12 December 1998, Mr Beggs, Mr Nesbitt and another member of the Ulster Unionist Party made it clear that there should be no real movement until there was substantial decommissioning. Mr Beggs stated that the Ulster Unionist Party was the only one that wanted seven Departments — that the SDLP wanted 10.

Yet, in that debate all those Members were forced to vote in a way which imposed 10 Departments on us. Mr Ken Maginnis said that this was the worst example of "snouts-in-the-trough" politics. We had the right to speak in that debate whether we had things of substance to say or not. We were denied that right.

**Mr Poots:** It is nice to see a smooth face in the Chair. Long may that continue.

**Dr McDonnell:** Is it in order for a Member to patronise the Chair in such a sexist manner?

**Mr Poots:** Madam Chair, I assure you that I did not mean to patronise you. Flattery will get me nowhere.

**The Temporary Chairperson:** Please continue.

**Mr Poots:** We hear a lot about accountable democracy, and I addressed that in my first speech in the House. I intended to address it again in my second speech, which was to have been during the last sitting. Unfortunately that sitting was guillotined, and I did not have the opportunity to speak on that subject.

That that happened is much to the shame of Lord Alderdice and the Ulster Unionist Party, which joined up with the SDLP and Sinn Féin — an unholy coalition — to guillotine the motion before the Assembly that day. That motion was the most important motion to come before the Assembly for debate since its inception. Since the agreement was signed the biggest decisions, decisions which will copper fasten the agreement, have been taken in December 1998 and January 1999 when the House voted to endorse the Report from the First Minister (Designate) and the Deputy First Minister (Designate).

The motion before the Assembly on 18 January 1999 was worthy of a two-day debate at least. CAPO agreed to have a two-day debate. Lord Alderdice allowed the debate to be guillotined because he felt that all parties

had been given a fair opportunity to have their voices heard. That is patently wrong and patently untrue. Lord Alderdice made a prejudiced and partisan decision on that day.

Five out of 20 Members from the Democratic Unionist Party had an opportunity to speak. Some parties had 50% of their Members called to speak while others had 100% called. The Democratic Unionist Party had only 25% of its Members who were down to speak called. This calls into question the system for calling Members to speak, the system by which the Initial Presiding Officer goes round each party once before returning to the main parties. In situations where debates are to be brief, this system does not give Back-Benchers in the larger parties much opportunity to speak.

I do not count myself as any less a Member than Members from the Progressive Unionist Party, the Women's Coalition or any of the other small parties. I was elected here, and I have the same mandate to speak as anyone else in the Chamber — particularly when time has been set aside for a motion.

There was no other pressing business on that day. I listened when Mr Ford said how busy we were. There have not been many debates in the House so far. I am fairly busy as I am trying to set up a constituency office in Lagan Valley, but I know that other Members are not as busy because they are not doing that sort of thing. They have plenty of time to take part in debates because they are doing very little else. As this was a very important debate and Members should have had an opportunity to speak, it was the Initial Presiding Officer's responsibility to ensure that minority parties got that opportunity.

Those of us in the "No" camp in the Assembly are in the minority, and we see the Ulster Unionist Party, the SDLP, Sinn Féin, the Alliance Party, the Women's Coalition and the Progressive Unionist Party banding together on a regular basis to vote down the people who were against the agreement. It is the Initial Presiding Officer's duty to ensure that people in the "No" camp have an opportunity to put their case, however much he loathes what they say.

We had a case which we put to the electorate and for which we received significant support. Lord Alderdice must ensure that the Members of the Democratic Unionist Party have the opportunity to speak.

We hear that this agreement is about give and take and that both sides have to give. We know what the Unionist side has had to give. They have had to give acceptance to the release of prisoners; they have had to allow Sinn Féin into government; and they have had to give acceptance to the establishment of the North/South bodies — bodies which these Members agreed to and

voted for on that particular day. However, we cannot understand what Sinn Féin has had to give up.

Some people have had to give up procuring weapons to stand for election; some people have had to give up planting bombs and setting off explosions; and other people have had to give up attempting to murder. That was not much to give up in return for a position worth £30,000 per year.

What is amazing is that members of the Ulster Unionist Party can join in a coalition with these people and vote with these people against their Unionist colleagues and against the Unionist people. Such behaviour is morally wrong and corrupt. It is also wrong that the Initial Presiding Officer should have shown such prejudice and such partisanship in allowing the closure motion to go forward.

I support the motion of no confidence in the Initial Presiding Officer. It is not a motion I would support lightly. The office of Presiding Officer in the Assembly is a very important office and its incumbent should act with decorum and impartiality.

Lord Alderdice has not acted in such a manner. It is significant that Mrs Betty Boothroyd, who is acknowledged as a competent and capable Speaker, indicated that she would not have allowed the motion to be closed had she been in the same position as Lord Alderdice.

Did Lord Alderdice take any advice on this matter, or did he act as he did because, as an interim Presiding Officer, he is going to have to be voted in at some stage by the majority of the House? It would be wise for him to keep in with those parties which have the majority in the House who could put him into the Chair permanently. I believe that Lord Alderdice took the decision on the closure motion on a partisan basis and not on a fair and equal basis. That is why we are having this debate today. This is a genuine and proper debate.

I regret that Mr McDonnell indicated that we were bully boys and thugs. I am not a bully boy or a thug. I respect Alistair McDonnell, both as an opponent and as a friend. I have met him many times and while in the Waterfront Hall he introduced me to the Mayor of Barcelona. I am surprised that he introduced the Mayor of Barcelona to a person he considers a thug or a bully boy. The real thugs and bully boys are those who beat people to a pulp with their baseball bats and hurley sticks and whose representatives are sitting in this very Chamber, and to whom the SDLP are cuddling up every day.

The thugs and bully boys are not the Members who come and participate in the cut and thrust of debate. The thugs and bully boys are those Members who sit like muted rats except when they try to interrupt Members who are speaking, particularly Members who

are speaking for the first time and who are not particularly confident, in an attempt to put them off.

It is regrettable that the Ulster Unionists behave in this way. I notice that Mr Wilson is sitting with a smarmy smile on his face. He is the one who has asked his colleagues to interrupt the speeches of the DUP and the Unionist people, while ignoring the speeches made by Sinn Féin and the SDLP. Of course these Members are now his colleagues and his friends.

**The Temporary Chairperson:** Please return to the subject of the motion.

**Mr Poots:** In bringing my comments to a close, I confirm that I support the motion of no confidence in the Initial Presiding Officer.

3.15 pm

**Rev William McCrea:** It is with sadness rather than joy that one takes part in such a debate. It is important that business is conducted in a proper fashion. Healthy debate should not be denied. If Members knew anything of debate in the House of Commons they would know that this is nothing like real debate. There is plenty of thrust and hard debate in the House of Commons and new Members are willing to take it. There is an old adage:

“If you can’t stand the heat, get out of the kitchen.”

Some people want the special treatment of being Members of the Assembly, but they do not like the thrust of debate. This motion deals with important issues. My hon Friends have given many reasons why it is important that this debate take place. There is nothing personal in my remarks concerning Lord Alderdice. He has been courteous with me on many occasions in this House and has shown courtesy as the Initial Presiding Officer.

However, we are dealing with a particular issue, and it goes to the core of what we are about here — dealing with issues which are so relevant and so important to the future of our country. If anyone asks me why I should be excited, or why I should want to take part in one of the most important debates about the future of my country I tell them that I have an interest in my country, an interest in the future of my children.

Therefore the Initial Presiding Officer, when he ended the debate, was denying my right to discuss matters that are very important and go to the very heart of the future of this Province and what kind of society we are going to have.

I remember Terence O’Neill saying many years ago “What kind of Ulster do you want?” That was the type of a debate that we ought to have had because we were deciding the kind of Ulster and the kind of future our children were going to have.

I, as a Member of the Assembly, wanted to participate in that debate and when the Initial Presiding Officer allowed the guillotine motion it was not put by those who had an interest in the debate. Even today the largest party in the Assembly, the Ulster Unionist Party, made one short statement concerning its position.

I can understand that some Members of the Ulster Unionist Party were not feeling aggrieved about the guillotine. The truth is that they were not permitted to speak on that occasion because the Whip could not be sure what they might say. There are many concerned people, for whom I have respect, in the Ulster Unionist Party. Many of them were deeply moved by this issue. However, they were not allowed to speak in case they did not tow the party line.

I support this motion. I was denied my right to speak on behalf of the people who elected me.

When I am not speaking I notice many wonderful things. Today I saw Mr Wilson directing his colleagues: "Get up, get up. Make interventions", and their hands were going feverishly to stop the Democratic Unionist Party Members from exercising their right of free speech.

I think that when Mr Wilson considers the matter, in the context of the Unionist family, he will have second thoughts. He has not done his people, and the Unionist people, proud today. He had no contribution to make himself, but he tried to stop free speech and debate.

If a Member has a response to a point in the debate, he should stand up and make it; if not, he should sit and remain silent. However, a Member should never orchestrate matters to remove the right of free speech from others. It should never happen within the Unionist family, bearing in mind that Unionist Members have to endure seeing the representatives of murderers and gangsters all around them. I feel angry and frustrated, and I resent that, even in these circumstances, there are colleagues within the family of Unionism trying to stop free speech.

Mr Foster started to quote the Bible. Maybe he is not the best authority on the Scriptures, and perhaps he should look closely at some of those verses again.

**Mr Foster:** Will the Member give way?

**Rev William McCrea:** No. The Member has had his say, and I do not regard him as a theologian. I will not enter a theological debate, which would be ruled out of order anyway.

When the Initial Presiding Officer was reaching his decision he had to consider whether he felt there had been an adequate, balanced debate. I will remind the House and tell the Initial Presiding Officer the balance: 22 Members on the pro-agreement side and nine

Members on the anti-agreement side. Oh yes! There was balance.

**Mr Ford:** Will the Member give way?

**Rev William McCrea:** No. I have only a short time, and I am using it profitably for the cause of Ulster. It is shameful to suggest that five hours' debate is too long to debate the future of one's country, that five hours is too long to debate the future of one's children or grandchildren. Those who supported such a decision ought to bow their heads in shame. They were doing no service whatsoever to the future of democracy in this society.

I am not surprised that Sinn Féin would want to stop me from speaking. They have done that for years; they have tried to murder me and silence me for years. I can take that: the enemies of Ulster are enemies of myself because I am speaking on behalf of Ulster. But what I cannot take, and what I resent most, is that those who are supposed to be in the Unionist family would stop me, a representative of the Unionist people who topped the poll in Mid Ulster.

**Mr Foster:** On a point of order, Madam Chairperson. Is Mr McCrea speaking to the debate?

**The Temporary Chairperson:** I thank Mr McCrea for keeping closely to the debate. However, he has started moving away and I remind him to return to the subject.

**Rev William McCrea:** I do not object to Members making genuine interventions. However, Mr Foster moved away from the debate throughout his speech, so he should not be lecturing me. This is the reason why I am aggrieved and why I support the motion before the House, though it gives me no joy to do so. As I sat in the House, and during the break, several Members from different parties — all bar Sinn Féin; I do not deal or talk with them — said to me "Do you know what you are doing? Do you know that you are strengthening Mr Alderdice's position? We have to say what a great person he is and support him." That is why there was only one speaker from the Ulster Unionists — they did not want to say that.

However, the SDLP has been more vocal and I would say, with the greatest respect, to Lord Alderdice that my party may have assisted him somewhat. Anyone voting for him today could not turn around and support a vote of no confidence in him tomorrow.

**The Temporary Chairperson:** The Member's time is up.

**Rev William McCrea:** I advise the House of my total support for the resolution.

**Mrs I Robinson:** I would like to remind Members that we are here because the electorate sent us here. As



a democrat I respect the right of others to have their say in this Chamber and to express their views — no matter how much I may disagree with them — but I was denied my democratic right when I was not allowed to speak in the debate on 18 January.

I want to make three points in relation to today's motion. First, I want to talk about the decision to guillotine the debate and its implications. The Order Paper clearly stated that three days were being given to debate the report prepared by the First Minister (Designate) and Deputy First Minister (Designate). It further stated that the Assembly was to sit each day at 10.30 am. Every indication was that there was to be a three-day sitting.

But, contrary to that decision made prior to the Assembly's sitting, the Ulster Unionists and their new friends among the Nationalists proceeded to break that agreement. That implies that whenever these two groups decide that they do not like what they are hearing, and having set a precedent in which the Initial Presiding Officer acquiesced, they will stifle the rest of us. That is the message being given.

My second point relates to the reasoning behind this. According to Mr Mallon, speaking on radio on the following Tuesday the debate was becoming sterile and nothing new was being said. Given that logic, both he and Sinn Féin/IRA need speak only once a year since they never have anything new to say except to repeat their anti-British rhetoric and parrot their united-Ireland slogans. Of course, it would be different for Mr Trimble. He and his colleagues change their policy every day, so they would need to speak quite often. In fact, not many of them seem to know what their policy is. That intellectual giant, Mr Nesbitt, speaking to Stewartstown Ulster Unionists said

"I see there is some uneasiness among Unionism as to where we are going, but that is one of the reasons why I wish to make it clear to you that, both in our policy and in what we will accept and now accept, we are clear."

Make something of that if you can.

I then come to the claims made about this Assembly. It was hailed as the dawning of a new era — the beginning of democracy. Mr Mallon is on record as saying that Northern Ireland had moved from the physical process to the political process. That statement is, of course, nonsense, given the hundreds who have been and are still being beaten almost to death.

Looking at the decision that he and the Ulster Unionist Party took, the only thing that has changed is the means used to silence the pro-Union majority. While Sinn Féin/IRA has done all it can to erase any semblance of our Britishness, the SDLP is doing all it can to make sure that we do not have too much of a voice — just enough to give an air of respectability to

the proceedings. Nationalism has always been Fascist in its approach; now it is aided and abetted by compliant Unionists.

As for democracy and accountability, if Sinn Féin/IRA is anything to go by, its approach to the financial corruption in the Dáil, as recorded in the 'Irish News' of 27 January 1999, is

"The peace process must transcend all other political questions."

So they are clear in their approach: nothing matters but all-Ireland agendas.

Even the tiny Alliance Party — that citadel of democracy — has ditched the pretence of believing in free speech. One of its councillors is recorded in the 'Belfast Telegraph' of 26 January as having said

"There should be no air time given to the DUP."

Another councillor is on record as endorsing what she described as "social engineering".

In short, the decision to halt the debate was to make sure that the message of the pro-Union Members who represent the majority of the Unionist population was stifled.

Mr Trimble did not want to hear. He has private meetings with Mr Adams to hear what he has to say, but he endorses the abuse of procedures in order to silence fellow Unionists who oppose his betrayal and who represent the majority of the Unionist community. I support the motion.

**Mr Gibson:** When one considers the number of debates that have taken place in the Assembly, it is clear that the decision on 18 December was taken very early. It is important to remember that we have been involved in setting what may turn out to be a precedent. This debate is not a reaction to the pettiness of the Arthur Daly's of Unionism. It is about the principle and the decision which was taken on that occasion. In our previous sitting there was repetition. Mr McGimpsey repeated a confession list of concessions to the IRA that had already been set out by Robert McCartney. At that sitting no one jumped up on points of order.

Members on the anti-agreement Unionist side are exactly the same in number as those on the pro-agreement Unionist side. Many of the anti-agreement Unionists topped the poll in their constituencies. Therefore, a greater number of Unionists said no to the agreement. When it was arranged and contrived that their voice should be stifled, there was a deliberate attempt to coerce. If the political promiscuity of Jim Wilson and his colleagues has seduced the Initial Presiding Officer, it is time that we drew to the Initial Presiding Officer's attention the fact that he has a duty to reflect the feelings of all Members.



The speeches by Mr Taylor and Reginald Empey and all the others who enjoy DUP bashing, display the weakness of their case. There was an infernal row among Ulster Unionist Party Members on 2 December and they engage in DUP bashing to hide the wounds within their own ranks. It was obvious that the bouncers, the so-called Whips, were leaning heavily on dissident Members an hour before the vote was taken. The bully-boy tactics which are condemned when they are used on the streets are apparent in the Assembly Lobby.

A structure so young and tender and in its formative stage must be treated with more respect. The Chair should not be subjected to the pressure that it was so obviously put under at the last plenary session to put the Question. It had obviously been decided that when the Question was put, the Initial Presiding Officer could abandon his responsibility, knowing full well that there was already an orchestrated decision.

We hope that the Initial Presiding Officer will take on board what has been said in the debate because it has been said not out of arrogance or spite. This is being put forward as a means of trying to make the Assembly work to the credit of Northern Ireland, to the credit of us in it and, indeed, to his credit. We are trying to show that what was done creates a precedent — and it could be a very dangerous precedent. If it were used in reverse, we would hear an awful lot of whinging from Benches other than our own, and that is something for the Presiding Officer to reflect upon, and I do not mean that to be a direct admonishment.

The Initial Presiding Officer was under pressure. While SDLP people today came out in his support to some extent, they are no particular friends of Lord Alderdice. It is well known that he is tolerated — just about — by the Official Unionists. In fact, it could be tactical on our part to reinforce the Speaker's position, but the decision taken on that day has to be examined. At the previous meeting, in spite of all the heckling that went on, we talked about building trust and giving confidence. What confidence was given by the tactics used in that instance? Fifty per cent of the Unionists' representatives were vetoed by another 50%, and they should think honestly about what they did.

Maybe I will be forgiven for a slight digression. I, as someone from West Tyrone, look at the tombstones of those who have been murdered. One of them, from north Strabane, was Senator Barnhill, who was in the other Chamber in this House. He and his sister were killed early in this 30-year campaign. He was responsible for making arrangements for the Americans to come to Derry and use it as a base in the Second World War. Do Members think that Senator Barnhill, as an Official Unionist representative in this House, would

have condoned the conduct of the Chief Whips at the last meeting?

Or look at the tombstone outside my own village, in the parish of Clogher. There are 21 names on it. Strangely, the first name on it is that of a man called Clements, who taught my children and whose sister is married to my brother — a leading Official Unionist. At the bottom of the list is a personal friend of mine, Ivan Anderson. The day before he was killed we spent an hour checking whether he had made his will and had made his peace with God — he knew he was going to be killed. He was the secretary of the Official Unionists in my area. Do Members think that he would have condoned what Mr J Wilson and the Whips did on 18 January 1999?

A sobering thought is the glee that was felt at that moment. I would hate to think of another line being added to the bottom of that memorial, dedicated by an Assembly Member. "Could it be possible that their memory was betrayed by Assembly Members?" Those are the thoughts that we need to distil into our minds, and we need to bring a little bit of stark reality as to what these Benches are about.

When we are talking about this agreement we think of King John and Magna Carta — the barons. Who are the new barons? Are they the barons of drugs; the barons of arson; the barons of tyranny? Who are they, and who is jumping to their tune? The decision was made, and I am saying to Lord Alderdice that he should reconsider that decision, that he should ensure that it is not a precedent. If this House is to have harmony, there are 28 representatives of over half of the Unionist population who must be considered in future when decisions are being made in this Assembly.

**Mr Campbell:** The DUP did not put down this motion with any great relish. Many Members have referred to what happened at the meeting of the Committee to Advise the Presiding Officer (CAPO). Some Members have said that this meeting exists to give advice to the Initial Presiding Officer, and that is accurate — that is one of the reasons for its existence. However, Members who oppose the motion have missed the point that in the seven months of this Assembly there has not been another instance of the Committee's advice being discarded in the way that it was on this occasion. So I would not put too much store by the nature of CAPO and what it exists to do.

**Mr P Robinson:** CAPO was always the Committee to Advise the Presiding Officer, and its members agreed unanimously the advice to be tendered to the Initial Presiding Officer, and the Initial Presiding Officer ruled and took his decision on that basis. Therefore, it is abundantly clear that CAPO members were in agreement, and there was a ruling from the Initial Presiding Officer.

**Mr Campbell:** Members who oppose this motion are grasping at straws by trying to say that the Initial Presiding Officer could set aside the agreement that had been entered into unilaterally at the CAPO meeting. According to my list, Messrs Hilditch, Hay, Poots, Paisley Jnr, Peter Robinson, Kane and Mark Robinson from the DUP were due to speak. Those who, in defence of their own position, said that there was a wide range of Members to speak on that day cannot deny that many Members, whose names had been tabled and were due to be called, were denied the opportunity to speak. If they have had an opportunity to speak today, that is well and good — it is not before time.

Today every ruse imaginable — and there have been some disgraceful attempts — has been used to stop some Members from speaking. There were queries as to whether a Member's paragraph or sentence contained a reference to the motion. Were they straying from the motion? Would they be called to order? Why is it that we keep getting the distinct impression that opposition in the Chamber is not only frowned upon, but will be remorselessly crushed if any attempt is made to express it?

Today is a good day because the voices of those who were elected to express the views, misgivings and concerns of hundreds of thousands of people can, must and will be heard.

3.45 pm

The Presiding Officer's decision was taken during the day. I had urgent business to attend to and had left the building. There was thought of communicating with anyone about the possibility of a vote. The rights of many of my party's Members and those from other parties who had wished to speak were taken from them. They were denied those rights because of the Initial Presiding Officer's decision.

Today's debate, which was agreed to reluctantly by some, gives Members the right to speak on behalf of many people. There have been attempts to stop some members from speaking. They have been interrupted by points of order, but all such efforts have failed. From this failure a lesson can be learned.

This will be a successful day, no matter what happens in the short term, if people learn a lesson from the fact that some Members have strong views. They were elected to express those views and they must be heard. There must be evidence that they will be heard.

**Mr Paisley Jnr:** Does the Member agree that the Initial Presiding Officer misled the House? Page 415 of the Official Report shows that he received from the Secretary of State a letter directing the Assembly to meet for more than one day. Thus in the light of the CAPO meeting and the letter from the Secretary of

State, we presumed that the Assembly would meet for more than one day. Does the Member accept that the conspiracy runs much deeper than Members are prepared to accept?

**Mr Campbell:** Members and the Secretary of State, were aware that we were scheduled for two days with the possibility of a third. But none of that seems to matter in the remorseless attempt to grind down the opposition.

If lessons from two weeks ago are learned today, we can put the past behind us and proceed to the future.

**Mr S Wilson:** I cannot remember your long list of names, so I will call you Madam Speaker or Deputy Speaker. I shall not go over the points which have been made. If I did, there would be interventions and points of order. I want to make a couple of observations.

I am not going to make any comment on the contribution that was made. That strikes me as odd, and, surely, the Initial Presiding Officer must also find it odd. The pickle in which the Initial Presiding Officer found himself was partly due to the fact that he allowed himself to be used by a party which feared another day's debate on the report from the First Minister (Designate) and Deputy First Minister (Designate). I am not in a position to judge whether this was a mistake, or whether the Initial Presiding Officer deliberately, or willingly, allowed himself to be used in this way. Had I been in his position I would have expected more vociferous support from those who had created the situation.

It is not that there is no one in that party who is able to come to the defence of the Initial Presiding Officer. Some of us were indeed impressed by the robust — some might say unknightly — contribution from "the knight from Knock" in defence of his own party. It seems he had been carried away by the honour bestowed on him. He must have thought he was one of the Kray brothers — Reggie and Ronnie. He behaved in the House like a political Kray brother, but he is absent today. He has not come to the defence of the Initial Presiding Officer.

It strikes me as odd that the Ulster Unionist Party has been so quiet about this. It must be because of embarrassment. Many people have said that what happened on 18 January was embarrassing for those opposed to the report, and that they were ambushed. However, I believe that the real embarrassment is among those who moved the closure motion, and, by facilitating this motion, the Initial Presiding Officer helped to reveal the weakness of the arguments used by those who were in support of the report.

As I listened to the speeches in the Chamber today it occurred to me that, as Rev William McCrea said, some people spoke in defence of the Initial Presiding Officer

not because they wanted to but because they felt obliged to do so. This would worry me if I were in the Initial Presiding Officer's position. However, my concern is with the nature of the defence made on behalf of the Initial Presiding Officer. Mr Paisley Jnr has already dealt adequately with criticisms about repetitiveness, although I would add that many people will find it odd for us to be lectured about repetitiveness by the SDLP. If the rule about repetitiveness is strictly observed in the House, there will not be many debates which last longer than a morning. Indeed, many of us know that the way to get your message across is to repeat it and repeat it.

**Mr Leslie:** Will the Member give way?

**Mr S Wilson:** No. My time is running out. Many people realise that repetition is an important way of getting your message across.

As regards some of the other arguments used, I found the remarks made by one of the Sinn Féin Members very enlightening. He said that the decision made by the Initial Presiding Officer in that debate was quite correct, because nobody is bound by any agreements. Those who believe that Sinn Féin has entered into an agreement with them, and that they have got some kind of peace agreement, should take note of what Mr Maskey said in the House this morning. He says that it does not matter if you make an agreement. They are not bound by any agreement.

His next argument was even more comical. It was "We don't have time for this; we have more important things to do." Those are the new-found democrats who wish to make the institutions of government in Northern Ireland work. That is almost as funny as the comment from one of his colleagues who knows all about broken bones. Many of them know about broken bones in IRA/Sinn Féin. The other morning on the radio he talked about the shortage of orthopaedic surgeons, and spoke about how he wanted to get into the Assembly to get to grips with the problem. Now we are told that Sinn Féin have no time for the motion because they have more important things to do.

Mr Haughey said that many of the speeches had been irrelevant. If I were Lord Alderdice, I would be worried. Mr Haughey said that if this had been a court of law, he would have asked for the case to be dismissed out of hand because Peter Robinson had walked out. I will let Mr Robinson deal with that.

**Mr Haughey:** On a point of information.

**Mr S Wilson:** I have only a minute or two left.

He then went on to a most bizarre argument. He said that he would be supporting the Initial Presiding Officer because on the day in question, the Initial Presiding Officer had presided over eight speeches which were

totally irrelevant and consisted of tomfoolery and buffoonery. I would not support any Presiding Officer who allowed buffoonery, tomfoolery and eight irrelevant speeches. That was his defence of Lord Alderdice.

It is clear from the debate that there is embarrassment. People know that the decision was wrong. Those who asked for it to be made are the most culpable. They acted out of expediency and to avoid political embarrassment. The mistake was that the Initial Presiding Officer allowed himself to be used in that exercise.

I do not know the outcome of this debate, and I would not presume to guess, but it has been important for two reasons. It has given people the opportunity to highlight the danger, as Mr Campbell said, of trying to stamp out opposition in this House for short-term expediency. It has also given those who were party to this an opportunity to defend their actions. They have been totally silent. They have not offered a defence.

The debate has highlighted the inadequacy of the party that brought this situation about and put the Initial Presiding Officer in the difficult position in which he finds himself. I trust that the lesson will be learned that in this House we will have the freedom of expression and freedom of debate that allow for proper, accountable government.

*4.00 pm*

**Mr P Robinson:** Perhaps I could deal with some of the comments that have been made. There will be occasions when everyone who wishes to contribute in the Assembly will have important and pressing business in other parts of the Province. Those who aspire to ministerial and other offices will have to make speeches and carry out functions elsewhere. If the Member who referred to my absence earlier had made the least enquiry of me, he would have found out that the building of a £9 million facility, which I had assisted in bringing to East Belfast, was starting in my constituency and that it was appropriate that I should be there to speak at the sod-cutting ceremony today.

As for the comments on the absence of my Colleague Dr Paisley, given that he was attending the funeral of a life-long friend, it is slightly cheap that his absence should have been referred to. It is ironic that that Member should have suggested that it is a lack of courtesy for a Member to speak and then leave the Chamber when that same Member left the Chamber immediately after his speech. Those who attempt to lecture others should practise what they preach.

Few expected that we would have many people attending this debate to listen to the arguments and, in an open-minded way, to decide how they would vote. It



is evident that some pre-judged the issue, including the Alliance Party. One of the amusing features is the 'Belfast Telegraph' headline "Alliance set to back Alderdice" — something we thought we would not see again. We can see by his physical presence that we have been able to reconcile the Initial Presiding Officer with his former colleagues. That will be welcomed as much by him as by them. It is, of course, noticeable that one of them is not present, but I am sure that that has nothing to do with the fact that the Initial Presiding Officer is sitting among his former colleagues.

For the rest of the Members any stick was a good enough one with which to beat the DUP. It is not a case of looking at the issue and making a determination based on the weight of evidence that would be produced during the course of proceedings. If that had been done the central feature of the debate was the principle set down in the very first speech, one which not one Member has attempted to counter and that is this: a closure motion is not intended to curtail debate; it is intended to ensure that debate is not prolonged. That was the procedural issue upon which the Initial Presiding Officer should have ruled, and he did not get it right.

Monica McWilliams said that it did not do any good for an infant Chamber to have this sort of thing happening. Quite the contrary: this is exactly the kind of issue that must be settled at the early stages, because precedents are established on rulings from the Chair. That is the key issue as far as this debate is concerned, and one of the reasons this motion was moved.

In introducing the debate I indicated that we had scheduled a number of Members to deal with specific issues each on 18 January, and I drew attention to two of those issues, one of which was decommissioning. The fallacy of the Official Unionist Party's argument would have been exposed had the Initial Presiding Officer not ruled in the way that he did. The Official Unionist Party has now confirmed on its website the basis on which it believes that Sinn Féin can be excluded from the Executive, and that basis is the lack of decommissioning.

The reason it gives is that Sinn Féin is not exclusively committed to peaceful and democratic means. That language is used three times in the statement and has been extracted from the Belfast Agreement, but that is precisely the language that was used during the talks at Castle Buildings, and it allowed Sinn Féin into those talks on the basis of that same language. If it wants to rely on that now as a basis for not allowing Sinn Féin into an Executive, it should have relied on it then and come out with the UKUP and the DUP rather than staying in those talks on that same criterion.

If the Initial Presiding Officer had not ruled in the way that he did, we would have warned Ulster Unionist Members that by voting they were giving the green light to the Secretary of State to proceed to set up all of the structures dealt with by the report, and we would have been right so to have warned them.

Statements were issued by the Northern Ireland Office indicating that she is starting to set up the 10 Departments even though the determination has not been legally approved. She has begun to create the implementation bodies even though the Assembly has not approved the determination of the First Minister (Designate) and Deputy First Minister (Designate). Such a vital issue should have been debated in the Chamber. However, because of the actions of the Initial Presiding Officer, we were not permitted to do that.

We would have pointed out to Ulster Unionist Members that they were breaching their election commitments that they would not allow bodies to be set up on an all-Ireland basis which had Executive powers and which would not be accountable and also that they would not let Sinn Féin into the Executive. Again, because of the Initial Presiding Officer's ruling, we were denied the opportunity to do that.

We would certainly have responded to gibberish from the First Minister (Designate) about the DUP's position vis-à-vis Sinn Féin in the Executive. Sometimes I wonder who will get him first, the men in white coats or the men in grey suits. What he argued was the DUP's position was not remotely close to it. Our position remains the same: we will do everything in our power to stop Sinn Féin getting into an Executive. When the Ulster Unionist Party capitulates the circumstances which the First Minister (Designate) mentions, come into play.

For any parliamentary Assembly to function, there should be some degree of honour and trust in the business managers of the Assembly. Following remarks made by Mr Wilson during a Committee to Advise the Presiding Officer meeting, it is clear that we cannot have that degree of honour and trust. Indeed, he indicated that no matter what he agrees with other parties he reserves the right, if it is politically expedient to his party, to use Standing Orders to violate that agreement. Members have heard the same kind of comment from Sinn Féin Members, who suggested that they do not feel bound by agreements that they reach.

**The Temporary Chairperson:** Order. The Member has a right to be heard.

**Mr P Robinson:** I think your difficulty is at the very heart of the problem. The debate was curtailed on 18 January because they do not like hearing arguments that do not come from their own party. The Initial



Presiding Officer's decision was one that denied free speech.

We should ask why the Ulster Unionist Party put the Initial Presiding Officer in that position. Could they not find Members prepared to support what the First Minister (Designate) had put forward in his report? That is certainly possible. Or could they not hold the line? I saw some evidence of that as the DUP often talks about paramilitary beatings. I saw parliamentary beatings taking place during that day when the political cudgels were being wielded against their Members because they were not coming into line.

Of course, the fear was that, as the debate continued, Members would hear the arguments and Whips would be unable to keep them in line, which they were clearly struggling to do. Another fear was that they would find out that Mo Mowlam was going to use the motion to proceed with the setting up of structures. The last thing they wanted was for the public to hear the arguments. Other parties should be very careful — the rights that they trample on today are the same rights that they will seek in the future.

In the future, I am certain, some Members will say our rights have been trampled on simply by the exercise of a majority voting in one direction or the other. That is why we have a Presiding Officer who is given discretion to safeguard the rights of minorities in the Assembly. Therefore there were two principal reasons — *[Interruption]*

**The Temporary Chairperson:** Order.

**Mr McCartney:** On a point of order. A section of the Ulster Unionist Party is talking loudly even when the Temporary Chair is calling for order.

**The Temporary Chairperson:** Thank you, Mr McCartney. Members in all parts of the House are conversing while the Chair is speaking. I ask for silence during the winding-up speeches.

**Mr P Robinson:** The Democratic Unionist Party felt it necessary to table the motion for two reasons. First, we sought, procedurally, to restore the amount of time which was denied to it. On 18 January we made it clear, through points of order, that procedures are a two-edged sword. Today all those Members who were denied the right to speak on 18 January had that right restored.

I particularly congratulate my colleagues who made their maiden speeches today. They showed excellent potential. We have shown that procedural devices can be used to ensure that our rights are maintained.

Secondly, we wanted to ensure that no precedents would be set by the Initial Presiding Officer's ruling. His ruling was manifestly wrong. However, as Ms McWilliams said, everyone can get it wrong

sometimes. The greatest act of courage is when people admit that they got it wrong. It has been made clear that, procedurally, such a ruling would be unacceptable in any other democratic establishment. The Initial Presiding Officer should reconsider this matter and ensure that what happened is not used as a precedent.

Some almost personal references were made in relation to the Initial Presiding Officer. More than anyone in the Assembly, I could be said to have a gripe against the Initial Presiding Officer for he has contested my East Belfast constituency on many occasions. We have met each other on the hustings many times. Throughout that period of election campaigning we have never fallen out on any of the issues. Many Members will agree that he has fulfilled his role in a competent manner during his tenure as Initial Presiding Officer. That should be acknowledged.

If a wrong precedent is set early in the life of a democratic institution, it may continue throughout the life of that institution.

In the light of the debate, I urge the Initial Presiding Officer to reconsider his ruling. On that basis, I beg leave to withdraw the motion.

**The Temporary Chairperson:** Does the Assembly agree to withdrawal of the motion?

**Several Members:** No.

**The Temporary Chairperson:** In that case, I must put the Question.

*Question put and negatived.*

4.15 pm

**The Temporary Chairperson:** I would like to thank Members for their support in what has been my maiden chairmanship.

*The Initial Presiding Officer resumed the Chair.*

## ASSEMBLY: AD HOC COMMITTEE ON PORTS

**The Initial Presiding Officer:** Item 4 on the Order Paper is a business motion, and Members need not debate it unless they specifically wish to do so. The Assembly would normally debate such a matter on presentation of a report.

**Mr McGrady:** I beg to move the following motion:

This Assembly, viewing with concern the Belfast Harbour Commissioners' proposals regarding the port of Belfast and their effect on other ports in Northern Ireland, appoints an Ad-Hoc Committee to consider the

serious implications of such proposals and to hold public hearings before submitting a report to the Assembly.

Composition: UUP 4

SDLP 4

DUP 3

SF 3

Alliance 1

NIUP 1

UUAP 1

NIWC 1

PUP 1

Quorum: 8

We touched on this problem when the Minister, Mr Murphy, attended the Assembly to discuss the question of the public expenditure survey. On that occasion grave concern was expressed — on a cross-party basis — at the speed with which it was proposed to change the status of the Belfast Harbour Commissioners. And, with that change of status, of course, there would also be a change in the disposal and use of the assets belonging to them.

On 12 October last I was informed on good authority that terms of reference for total privatisation were put to the Department of the Environment and the Department of Economic Development by the Harbour Commissioners, that there would be a short consultative period and that a button could be pressed and the privatisation would go through by Christmas. Fortunately, the exposure of that particular process has nullified it, and we now have the opportunity to properly consider how best to deal, in the future, with the tremendous asset that the Belfast Harbour Commissioners manage on our behalf.

There are two aspects to the problem. A substantial amount of Northern Ireland's commerce passes through this port, and it is important that we preserve its status and availability for the good of the general public. Second, its asset resources, in terms

of the extremely valuable land that lies virtually in the centre of Belfast, must be developed in the best way possible, not just for the people of Belfast but for those in the whole of the North of Ireland. As well as their assets there is, of course, the question of the considerable cash resources which are currently at the disposal of the Harbour Commissioners.

I have another concern in respect of the proposals coming from the Commissioners. How will the other trust ports in Northern Ireland be affected — those at

Derry and at Warrenpoint? Larne is already a privatised port.

Another shared area of concern is the problem of the transfer from trust port status — a semi-public, semi-private situation — to total privatisation. The transfer was to take place by way of what is known as a placed flotation. In other words, a selected body of share dealers would be asked to place the shares in the hands of those they thought would be best to manage it. Unlike BT, NIE and others, there was no question of the people of Northern Ireland being given the opportunity to participate in the privatisation. This was to be a placed flotation, a new cartel created to manage the Port of Belfast.

Many of us made rapid conclusions as to where those shares would be, as to who would be involved, and as to where the resulting new millionaires would come from. For that reason I expressed, on behalf of my party, concern to Mr Murphy when he addressed the Assembly and, subsequently, on several occasions in the House of Commons and elsewhere.

It is interesting to note that the process was galloping along at an enormous pace. It started in 1997, and by May 1998 the Harbour Commissioners had already put a transfer scheme to the Department. We are nearing the end of that process, which was allegedly a process of consultation. However, I have yet to find any meaningful consultation that took place with the political parties, the Port Users Association or anyone else. Now a block has been put in that path and it is now open for full and proper consultation. The decision which was to have been made by the "push-button exercise" by the Department and the Minister has now been aborted. Now the process will be carried forward only after full consideration by the Assembly and by all those who have an interest in the matter.

The great problem and the alleged urgency at the time was due to the fact that some major road schemes affecting Belfast, Derry and Newry were based on the instant sale of this enormous asset belonging to the people of Northern Ireland.

The much vaunted publication of May 1998 from the Chancellor of the Exchequer stated that Northern Ireland would get an additional £130 million. Please read the small print. Of that, £100 million was our own assets, namely, Belfast Harbour Commissioners. A bit of creative bookkeeping was involved in that particular exercise, but that is not the way that it should be done. It is not for me to put proposals on how it should be done, but simply to flag up some further considerations.

How should the port be managed in the future? Should it be public, private or a combination of these? How should the revenue of the port be disposed of? At

the moment it is entirely for the use of the Port Users Association. Could it be used for other projects such as roads, hospitals or schools? How should the very valuable land and real-estate assets be marketed? Should it be piecemeal, lump sum or should it create its own market?

The marketability of the leaseholds and freeholds has been enormously enhanced by the considerable funds brought into the Laganside development through the European Regional Development Fund (ERDF). The calf has already been fattened by that funding. It is important that all the people of Northern Ireland should benefit, not just the property developers and the proposed millionaires. It is important that the fatted-calf syndrome that we have seen with other privatisations should not be allowed to occur in this case.

**Mr McCartney:** Will the Member confirm, for my benefit and, I am sure, for the benefit of others, that if substantive power is transferred on 10 March, as is suggested, the Assembly will be in a position to say “Yea” or “Nay” to any privatisation, or will that power remain within the Northern Ireland Office or the Westminster Government?

**Mr McGrady:** The hon Member makes a very valid point, and I am sure his legal expertise makes him better qualified to answer the question than I am. However, the political answer to the question — never mind the judicial one — is yes. If powers are transferred and devolution takes place, then, presumably, the Minister and the Executive would have the ability, with the consent of the Assembly following debate, to take what action they felt appropriate.

That is why it was important that the Minister was not allowed to proceed with the push-button exercise that commenced last December. Now the Assembly can have its say.

Members should also be aware of the grave concerns of the Port of Belfast Harbour’s trade-union side, which is most strongly urging the Assembly to take cognisance of potential employment problems in the harbour precinct if the current proposals proceed. There are many ways in which this issue can be handled. I do not want to be dogmatic about how it should be handled — I have my opinions, and other Members will have theirs. This asset is huge and has great potential beneficial for the years ahead, and if Members want to use the income for other purposes, it is important that they be fully and carefully considered.

It is for this reason that Peter Robinson from East Belfast and I have jointly framed this motion to allow a Committee of the House to be established. The Committee’s composition will be proportionate to the strengths of the parties in the House, and the Committee will undertake, extraordinarily, a full, public

examination of the pros and the cons of the debate. I hope that after taking public and other evidence, a report can be presented to the Assembly for debate, amendment and ratification — one that will arrive at a resolution which will be of the greatest benefit to the greatest number.

**Mr P Robinson:** This is essentially a business motion and, as such, is not normally debatable. As movers of the motion, we appreciate the opportunity to outline the case for setting up the Committee for the purpose stated in that motion.

There are almost 2000 acres of land at the Belfast port, and that is a very considerable area. Much of it is a very valuable asset indeed. Those Members who are going to be on the Ad Hoc Committee should be warned at the outset that they will have very considerable briefing made available to them. Dr Stephen Donnelly, who is assisting the Assembly with research, has already prepared a volume for the Committee to look at, and that is just the independent research that we have had carried out. Members can be certain that witnesses will bring forward very significant tomes as well.

My Colleagues and I visited the harbour towards the end of last week. Those Members who had not seen it before were impressed by the scale of the operation and by how profitable that operation is.

*4.30 pm*

We are talking about a business that has a 50% profit ratio; a business that has £20 million in the bank; and a business which is worth much more than that in terms of the capital assets that it has at its disposal. This is a very important issue for Northern Ireland and further importance can be attached to it because of the position that the port of Belfast has in terms of the life of the Province. Fuel oil, coal, grain and foodstuff all come through Belfast, and the depth of the channel means, effectively, that it is the only place in Northern Ireland where they can come in, so it is vital that the port be under responsible control.

It is vital too that whatever the future pricing policies are, some restrictions are placed on it. It is, therefore, an appropriate subject for the Assembly to investigate. What made me put down this motion jointly with the Member for South Down is the fact that the Harbour Commission was beginning to take a lead in terms of the consultation process.

The Harbour Commissioners would have been controlling the process: bringing in the parties to speak to them; talking to the trade unions; and talking to others. There is no reason why they should not do all of that — indeed, they should be encouraged to do that — but that should not be the principal method by which the Assembly decides how to deal with this matter.

Mr McGrady is absolutely right. If powers are devolved to Northern Ireland, this will clearly be a transferred matter and, therefore, the responsibility of the Minister of Regional Development to bring forward proposals for dealing with this matter to the Assembly's Executive.

The Assembly could give or withhold its support for those proposals, so it is a matter that will be dealt with in a post-devolution state, and the decisions that we take on these matters will be vital. Members who will take those decisions eventually should be well-informed, and how better to be well-informed than by having a Committee which will look at all the relevant issues and come forward with recommendations.

There are a number of possibilities for the disposal. One possibility is simply a Tory-style sell-off, allowing the highest bidder to take it with no restrictions at all — very dangerous as far as the future of the port is concerned.

The Harbour Commissioners prefer a public/private partnership whereby the public — and in this case it would be the new Government of Northern Ireland — would hold on to a golden share. They would have an agreed percentage of the shares of the company, and the remainder would be part of a flotation which, presumably, would provide the funds necessary to pay for the roads around Toome and elsewhere that have already been identified in the Government's expenditure programme.

The Government are forcing our hands in terms of the sale of the port because they have already spent the money in their expenditure programme, so we have to deal with a number of those realities. The Committee's work is vital but perhaps all that it will be able to do is set out the principles that should guide the Minister when he looks at the matter, and a number of those issues will come forward from the research that has been carried out by Mr Donnelly. I wish the Committee well. I will certainly watch very closely the work that it carries out.

**The Initial Presiding Officer:** This is a business motion and both proposers have been fairly fulsome in their introduction. There have been one or two requests to speak briefly, and I am minded to permit them, but I do urge Members not to get into a habit of full introductions to business motions.

**Ms O'Hagan:** Sinn Féin welcomes the opportunity to engage in consultations on Belfast port. My party was to meet Belfast Harbour Commissioners today, but the meeting had to be rescheduled because of this debate.

It is wrong to link the sale of the port with necessary road and transport development, such as the Toome

bypass. This is a clear attempt by the British Government to sound generous, within the Gordon Brown package, towards the Six Counties while playing one sector off against the other. We are told that if the port is not sold we cannot have the bypass.

There are many compelling arguments against the proposed sell-off of the vital assets at Belfast harbour; and we do not need to rehearse them all. Not least is the sale of valuable land, which is both short-sighted and detrimental to the long-term interests of Belfast port. Sinn Féin is against the privatisation proposals. It is incomprehensible that a Labour Government would carry on with the privatisation policies of the previous Tory Administration.

The proposal to sell the port is short-sighted in the extreme, especially in view of its considerable assets. The future of Belfast port needs to be revisited, and the process should be open and accountable. My party looks forward to such a consultation process by way of public hearings.

Go raibh maith agat.

**Mr Taylor:** I have listened to the debate with interest. These are important matters not only for the City of Belfast but for the whole of Northern Ireland. There is one issue on which I should like some clarification from the proposers of the motion. If and when we have devolution in Northern Ireland, and when the transfer of powers from Westminster to Stormont is completed and Departments and departmental Committees have been created, the departmental Committees will have various responsibilities. A departmental Committee will look into the issue of the sale of Belfast port. Will there be a conflict between the Committee that we are being asked to create and the pending departmental Committee?

**Mr McCartney:** I congratulate those who have moved the motion. It has been described as one that has the support of all parties in the Assembly, including my own. It is regrettable, however, that all the parties except mine are represented on this Committee. It is heartening to know that there is such a wealth of talent, and that people do not require the services of probably the only senior practising lawyer in the House. Although I am not to be a member of the Committee, I would be happy to contribute in any way I can to its work, even as an adviser.

**The Initial Presiding Officer:** A question was posed by Mr Taylor. Perhaps it could be answered in the winding-up speech.

**Mr P Robinson:** I do not intend to make a winding-up speech, but I am happy to respond to the question. The issue is one of timing. As I understand it, the intention is to complete procedures by June. Even if



devolution were to take place by 10 March — and there seems to be some of doubt about that — it would leave a considerable task for the Assembly to get its Ministers in place and get the Assembly Committees up and running.

There may be other priorities such as roads, transport, water, or planning strategy, all of which would come under the remit of the same Committee. But that Committee would not have to accept the outcome of this one, and may present further reports asking the Assembly to look at the matter in the light of new evidence. The Assembly has the final decision. Having considered the issue, the Committee would report to the Assembly, which may take a different view of the matter.

**Mr McGrady:** I wish to respond in kind to what the Member for East Belfast has said regarding the question from the Member from North Down. In terms of the motion, it is an Ad Hoc Committee and has the in-House statutory longevity which such Committees are inclined to have. I see no conflict there. When the appropriate departmental Committee is in place the Committee can terminate — if it has not already done so — or make arrangements for its dissolution. It was a degree of urgency that necessitated the motion before us.

With reference to Mr McCartney's point we are always appreciative of free legal advice as it is such a rare commodity.

*Question put and agreed to.*

*Resolved:*

This Assembly, viewing with concern the Belfast Harbour Commissioners' proposals regarding the port of Belfast and their effect on other ports in Northern Ireland, appoints an Ad Hoc Committee to consider the serious implications of such proposals and to hold public hearings before submitting a report to the Assembly.

*Composition: UUP 4*

*SDLP 4*

*DUP 3*

*SF 3*

*Alliance 1*

*NIUP 1*

*UUAP 1*

*NIWC 1*

*PUP 1*

*Quorum: 8*

*Motion made:*

That the Assembly do now adjourn. — [*The Initial Presiding Officer*]

**The Initial Presiding Officer:** Of those Members who have yet to make a maiden speech in the Assembly — and after today there are fewer of them — applications to speak in this debate have been received from two, and both shall be heard.

## ACTION FOR COMMUNITY EMPLOYMENT (ACE)

**Mr Agnew:** Members on these Benches have some difficulty hearing what is being said. I could only just hear my name being called. I urge you to address this problem.

As Colleagues will be aware, in July the ACE programme that has served Northern Ireland so well for many years will come to an end. People of all ages, races and religions and of both sexes have benefited from ACE. While it is not perfect, the advantages of ACE outweigh the disadvantages. Many young people have learned skills, obtained qualifications and training. Older people have learned new skills that have helped them find employment in a technological age. Communities have benefited from environmental work, and the massive contribution that ACE schemes have made towards bringing people together cannot be underestimated.

We are supposed to be living in the midst of a peace process, but, even before the Belfast Agreement, cross-community groups working under ACE were keeping communities together.

ACE funding has been decreasing. At its height it received almost £50 million. Now around £30 million only come from the Exchequer to fund the programme. A few hundred core workers and a few thousand places still exist in ACE.

Up until last November the Government were saying that they had no plans to wind up the ACE programme — a programme that employment consultants from England and Scotland have been studying as a model for dealing with the long-term unemployed. And who is better at dealing with unemployment than the people of Northern Ireland?

Someone, in his wisdom, decided that money could be saved using the New Deal Programme. Under this benefit-plus scheme all will be registered as employed. Funding will come from the massive amount of money that the Government have accrued from windfall taxes. By doing this the Government can recoup into the Exchequer some £30 million, and that is a squalid fraud on working-class people by a so-called socialist Government.

There is no better scheme to cater for all ages of those needing welfare benefits than ACE. Under New Deal one must be under 25. It is not a better deal, it is not even a good deal. It is interesting to note that among the first to sign up to New Deal were the large supermarkets — for three months they can employ cheap labour to fill their shelves.

4.45 pm

Many questions must be asked about the New Deal. How can one get a qualification in three months? How can such a scheme adequately teach job skills? Even though those involved in the New Deal will be registered as employed and, therefore, reducing unemployment, there will be fewer job skills. This scheme has not been very successful in England. It is important to note that in west Belfast alone fewer than 70 people are employed under it. Last week the Deputy First Minister (Designate) was speaking at a conference where he welcomed the New Deal Programme, I urge him to rethink his position because his views do not represent those of the people of north and west Belfast.

The Training and Employment Agency says that consultation with ACE providers has taken place. However, there was no proper consultation — not even with those in the Department who are aware of the situation.

Some Members are associated with Farset, which is perhaps the largest ACE scheme in the Province. Its manager, Mr Jackie Hewitt, confirmed to me today that nobody had consulted with him. Mr Arbuthnot of the Training and Employment Agency has said that one third of the Province's ACE providers have signed up to the New Deal. Yet the two or three employed under the New Deal in an organisation like Farset will go if ACE goes. It is a crazy situation.

**Mr Shannon:** Does Mr Agnew agree that the ACE scheme helped the elderly and the disabled and that the

ACE scheme helped to create community care? Does he agree that the ACE groups were involved in many environmental schemes?

**The Initial Presiding Officer:** It is not usual to intervene in maiden speeches.

**Mr Shannon:** I apologise.

**Mr Agnew:** I was happy to give way because this is something that all Members can get involved in and should be concerned with. The New Deal only involves under-25-year-olds. What will happen to those who are over 25? They will be cast to the wall and forgotten about. That was not the case under the ACE scheme.

I agree with Mr Shannon's point about the environmental aspects of ACE. Those providing work under ACE have developed important environmental initiatives in their communities.

Mr Arbuthnot's point was that one third of the Province's ACE providers have signed up to the New Deal. Yet the two or three engaged under the New Deal in an organisation like Farset will go. It is as simple as that. Its core workers will go as well because the New Deal programme does not provide for them. It is almost self-policing.

We face a difficult situation. All over the Province ACE providers are now making arrangements to wind down their schemes. They are now putting in place a process that will result in the inevitable closure of some of these tremendous schemes, such as Farset. It is as serious as that.

The Training and Employment Agency should cease immediately the rundown of the successful ACE programme, and allow a period of six months for proper consultation with those who are providing it. Otherwise, the consequences of the current policy will have far-reaching implications for both training and employment in communities all over Northern Ireland.

## EDUCATION

**Mr Benson:** I wish to speak on the way forward in education. I do not intend to give a blueprint for future education in Northern Ireland; I want rather to assess the education system that we have and raise some questions about the future. Changes in education have been wholesale over the last 30 years, and, as a result, stress levels have never been so high among teachers, pupils and parents. Teachers have never been so overloaded with administration.

With the birth of the Assembly we have a golden opportunity to take our decisions wisely. It is time to

assess the success and drawbacks of our current system to ensure that it is the best education that we offer to our children. We must consult with the people who are the experts in the field — the teachers. We must assess and ensure improvement in the areas of nursery, primary and secondary/grammar education. We must consider the provision of integrated education, and further and higher education must be reviewed. The administration of education must be assessed.

Ideals, however, are only as good as the financial backing they are given. There has not been an endless supply of capital for education in Northern Ireland in the past, and there will not be in the future. With our own Government we must seek to spend wisely on education. Nursery education for all four-year olds is an objective with which all can agree. This is a target of the Labour Government and one to be adopted by the New Northern Ireland Assembly. We are all aware of the benefits nursery education brings in preparing children for their primary regime.

However, in spite of an injection of capital to provide more nursery places, many parents find that it is a lottery when making an application for a local nursery school place. Nursery schools are forced to use criteria which are unfair to many children and can rule out many hard working tax-paying families who are the backbone of this society. Nursery education for all must be a priority.

In the primary sector one of the most contentious issues is that of testing with the selection process the most often debated. Assessment is, of course, crucial to a child's development. However, will testing at Key Stage One achieve anything but overloaded teachers with more costly and unnecessary administration? Teachers need time to get on with teaching literacy and numeracy. The last Conservative Government's obsession with all

things science-related seemed to encourage primary schools to put the cart before the horse. What is to be gained from understanding our Archimedes's Principle if an 11-year old cannot punctuate a sentence properly or check his change in a shop? Our primary schools are staffed by enthusiastic and dedicated teachers, but they must be allowed to teach without the burden of unwieldy and unnecessary administration. This leads me to the culmination of the primary process — the selection procedure.

Over the years there have been many dissenting voices. The selection procedure, the transfer process, the eleven-plus or the "qually" — call it what you will — still strikes fear into the hearts of children and parents alike. This weekend many families will wait in trepidation for the postman to bring notification of success or failure.

However, selection in some form is the backbone of secondary education. In successful and competitive nations such as Germany, France, Japan and the USA selection is crucial. It is the correct age for selection, however, that is open to debate.

Secondary schools must be valued and properly resourced, to allow them to continue to provide appropriate education to the majority of young people who attend them. Incidentally, I understand that school league tables are being published today.

Grammar schools in Northern Ireland — often the subject of debate — provide appropriate and wide-ranging education to the most able and most highly motivated young people. Grammar schools offer a route to success to all pupils, irrespective of social background. Surely this is one of the Labour Government's most highly cherished objectives.

All pupils of proven ability should have the right to a grammar school education, and we should strive to ensure that pupils from across Northern Ireland have equal access to this opportunity. At present, in some board areas pupils are admitted to grammar schools with grades A, B1, B2, or even C. However, the largest controlled grammar school in the South-Eastern Board area, Regent House Grammar School, will accept only grade A pupils, forcing those with grades B1 and B2 to travel to schools outside the board area for their grammar school education.

This inequity must be addressed, and there should be increased financial support for grammar school provision in what is one of the areas of largest population growth in Northern Ireland.

The promotion of integrated education must be a long-term objective, if we are to create a truly peaceful and tolerant society. In attempting to achieve that objective, we must encourage existing schools to opt for change to integrated status, and to convince them that that is the most cost-effective and successful way to promote mutual tolerance among young people. We should, however, be aware that this change can only come about when the local communities served by these schools support the idea. Therefore, our immediate objective must be to increase the atmosphere of mutual tolerance in existing schools, thus increasing support for an eventual formal change to integrated status.

In terms of further and higher education, the Government are committed to the creation of a new culture of lifelong learning. That commitment has already been made apparent in the recent announcement by the Education Minister, Mr John McFall, of a £39 million package for further education. The Assembly should aim to facilitate the greatest possible access to continuing education for people in the post-16

age group. We should encourage the expansion of second chance learning opportunities.

We should also consider whether Northern Ireland needs two relatively small universities, or if we would be better served by a single multi-campus institution that is capable of competing with institutions around the world at the highest possible academic level. Together, our universities have a student body of some 40,000, and that would make a single institution a significant body on an international level. Our universities should endeavour to bring education to the people. It should be possible, for example, for a young mother in Enniskillen to pursue a degree course by means of the Internet and other resources provided by her local further education college.

The Assembly must also address the issue of the administration of the education system, so that we can provide the best possible support to our 470,000 pupils and students, and ensure taxpayers of value for money. The present administrative system, which includes nine statutory bodies and a range of voluntary bodies, is unnecessary complex. It costs £16 million to run the Department of Education for Northern Ireland, £21 million for the five education and library boards, and millions more for the associated statutory bodies.

It would be more sensible to restructure the Department of Education to give it responsibility for all aspects of education, from the cradle to the grave. There is also a pressing need to address the question of whether Northern Ireland needs five education and library boards and, thus, five chief librarians,

five chief finance officers and five chief executives — all to provide a service for just 1,300 schools. In addition, we should consider the cost of supporting the Council for Catholic Maintained Schools and related bodies.

Many principals identify financial management responsibilities as the main source of stress among senior school management. We should introduce a system of professional financial management, with qualified accountants taking responsibility for school finance matters. That would enable principals to give their full concentration to the curriculum.

5.00 pm

Such appointments would give confidence to boards of governors, who often lack financial expertise. To

benefit our pupils we must make the administration of our education system as efficient as possible.

We in the Northern Ireland Assembly will soon hold the future of our young people in our hands. It is incumbent on us to ensure that we provide, for as wide a range of people as possible, the best quality and most cost-effective education in an environment conducive to learning.

**The Initial Presiding Officer:** Mr Agnew raised the matter of audibility at the back of the Chamber. You will appreciate that because of the events of earlier today, I have more of an understanding of how difficult it is for Members on those Benches to hear. I found myself leaning back and using the hidden speakers behind the Benches. Some of you will know that this also happens in the House of Lords. Their Lordships are often criticised for being asleep; they are not of course asleep, they are merely listening to the speakers behind. I urge Members, who are clearly not somnolent, to use those speakers, but I will also speak to our technical officers and see if there is anything further we can do.

**Mr Boyd:** Sometimes I cannot hear the person in front of me. There is still a problem with the sound.

**The Initial Presiding Officer:** When you are at the desks, the covert speakers are not behind you but in front, on the desks. Those Members who are lying across the desks are also not asleep but merely listening more carefully.

**Mr Hussey:** I have raised this matter before. Perhaps the microphones are too high and when Members are looking at their notes, the microphones are not picking up their words properly.

**The Initial Presiding Officer:** There is some truth in that. I urge Members to throw their shoulders back and make sure that the rest of the Chamber hears them fully. Some of the problems are occasioned by Members leaving the Chamber noisily or conversing with each other. That is rather unfair to Members who are speaking.

Finally, the much-mentioned Committee to Advise the Presiding Officer will meet at 5.30 pm in Room 152.

*The Assembly was adjourned at 5.02 pm.*



# THE NEW NORTHERN IRELAND ASSEMBLY

**Monday 15 February 1999**

*The Assembly met at 10.30 am (the Initial Presiding Officer (The Lord Alderdice of Knock) in the Chair).*

*Members observed two minutes' silence.*

## **PRESIDING OFFICER'S BUSINESS**

**The Initial Presiding Officer:** At the end of the last sitting of the Assembly some Members raised with me difficulties regarding the audibility of other Members who were speaking in the Chamber. The problems identified have been examined and, where possible, have been addressed. In particular, I draw the attention of Members to the suspended microphones in the Chamber. I have had these lowered in an attempt to ensure greater amplification. I trust that they are now not so low as to cause the taller Members of the Assembly any inconvenience. If Members still experience difficulties in hearing other Members' speeches they should contact the Keeper of the House.

There has been some uncertainty over the status of papers placed in the Library. I have looked at this matter, and to clarify things I make the following ruling. When papers are placed in the Library, that act will make them public documents. The Library will not be responsible for making the papers available; the papers, along with other material, will, as soon as possible, be placed on the Assembly's website and thus will be widely available. They are, of course, always available to Members, who should feel free to publish them.

Papers to be put in the Library but which are not for public dissemination will be termed "papers deposited in the Library". Such papers will be available to Members but should not be made more widely available.

At the previous sitting Mr P Robinson asked me to reflect further on the meaning and intention of Initial Standing Order 2(1), suggesting that, in ordering the Doors to be fastened, I was going beyond what the Initial Standing Orders entitled the Initial Presiding Officer to do. I agreed to re-examine the matter and to advise the Assembly if I had made a judgement that

went beyond what was appropriate. I have made it clear on many occasions that the Initial Standing Orders are inadequate for conducting the Assembly's business and that other matters should be taken into account—for instance, the draft Standing Orders, as discussed by the Committee on Standing Orders, and Erskine May.

I have reconsidered the matter raised by Mr P Robinson in some detail, and I have taken advice from my legal counsel. I have concluded that I must stand by my earlier ruling on the issue. I do not think that anyone could seriously challenge the assertion that the Initial Presiding Officer is under a duty to act fairly with all Members and should not discriminate in favour of some to the disadvantage of others. If I were not to proceed in the way that I have ruled, my actions could be challenged by way of judicial review.

If the unfair advantage that I have mentioned is to be avoided, it will be necessary to ensure that all Members are allowed the same time in which to enter, physically, the place where they are entitled to vote. How this is achieved is clearly a matter of procedure upon which, by virtue of Initial Standing Order 2(1), my ruling shall be final. The adopted procedure of closing the Chamber's Doors at the expiration of three minutes after a general announcement is a fair and reasonable one, particularly bearing in mind that any other procedure for achieving this would be difficult to police. Those Members who are excluded because they arrive late will not have been treated any less favourably than any other Member. Until the Doors are opened at the conclusion of a vote, Members who have been denied access to the Chamber will, of course, be able to observe, although not participate, from the Gallery.

**Mr P Robinson:** I am grateful for this, but it does not go to the heart of the matter that I sought to have addressed. What I asked was whether the Initial Standing Order permitted you to make an interpretation, no matter how liberal that existing Standing Order was, or whether it drew a line at allowing you to bring in or make new Standing Orders. Where is the line between interpreting an existing Standing Order and making a ruling which amounts to a new Standing Order?

**The Initial Presiding Officer:** My view is that no Presiding Officer should be in a position arbitrarily to construct Standing Orders. It is not just appropriate to ensure that whatever developments of procedure are necessary for the implementation of Standing Orders are carried through, but a binding duty. I do not think it is appropriate for completely new and essentially arbitrary Standing Orders to be created, and I do not believe that my decision did that.

**Mr Dalton:** Would the Presiding Officer explain to the House why a different official is sitting next to him

and why the Clerk, whom one would expect to be present, is not here today?

**The Initial Presiding Officer:** Members know that certain questions of procedure were raised with me by the First Minister (Designate) at the last sitting. I said to him that I would explore the matter and any other matters that were drawn to my attention in that context which involved discussions between Mr McCartney and the Deputy Clerk. No further material was raised with me in that regard. Since that time, certain other matters—

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. This matter was not raised as a point of order, and I therefore feel able to intervene on a point of order.

We are dealing with personnel matters relating to a civil servant, and I do not believe that that is fair of us. It would be appropriate for you to refer it to the party Whip, who can make his Colleagues aware of the position.

**The Initial Presiding Officer:** I have no wish to proceed further with this matter now unless the House so wishes.

## ASSEMBLY: PRESIDING OFFICER

**Mr C Wilson:** When I first considered placing this motion before the Assembly, it was reasonable for me to expect that it would have the support of all parties. However, over the past few days it has become clear to me that the prospect of all-party support for the motion has disappeared. Indeed, I have received reasonably sound information to suggest that the SDLP and the Ulster Unionist Party intend to oppose it.

I feel that I have a duty to make clear the reasons for these parties' opposition to the motion to everyone in the Chamber, to those in the Galleries, and to the wider public. It gives an indication of the shape of things to come. We will have in the Assembly what in the business world would be known as a cartel. Those who have been preaching the gospel of inclusivity and responsibility sharing are about to carve up between them all the positions of responsibility in the Assembly. These jobs for the boys will be shared between the Ulster Unionists and the SDLP.

**The Initial Presiding Officer:** Is the Member preparing to move the motion? His remarks would be appropriate if he were intending to do that, but I cannot accept them if he intends to withdraw the motion.

**Mr C Wilson:** I will come to the crux of the matter very soon.

**The Initial Presiding Officer:** For various reasons, I need to be clear as to whether you intend to move the motion.

**Mr C Wilson:** I have set out some of the difficulties that I have encountered in relation to this matter. Bearing in mind the excellent service that you have given to the Assembly during your probationary period as Presiding Officer, a fact that is acknowledged by all parties, it is with some sadness that I inform you and formally advise the House that I intend not to move the motion standing in my name. I have spoken to your assistants about the meeting. However, my action is on the basis that everyone must understand the likely shape that the Assembly will take in the future.

**The Initial Presiding Officer:** I have been more than generous with the Member. The words "Not moved" would have been sufficient.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. The Member for Strangford has said that he will not be moving the motion. However, the Order Paper shows that this is part of the business for today. I could, of course, after making some remarks, decide to move the motion myself. That would be in accordance with the practice of the House. Mr Wilson has drawn attention to what is a fairly sleazy arrangement between the SDLP and the Ulster Unionists.

**Mr Taylor:** On a point of order, Mr Initial Presiding Officer.

**Mr P Robinson:** I am on a point of order, and we cannot have a second one.

**The Initial Presiding Officer:** Mr Robinson is making a point of order relating to procedure. He is taking his time in explaining it, but he should be allowed to complete his remarks. I cannot accept points of order on a point of order.

**Mr P Robinson:** The sleazy arrangement to which I referred makes it imperative that we have a discussion on this matter, particularly as the Chair is supposed to be politically neutral. It is not supposed to be part of a carve-up between parties, creating a situation in which the Chair would be answerable to a particular party and would have to do its bidding.

*10.45 am*

**The Initial Presiding Officer:** These are certainly interesting questions, but it remains to be seen whether they constitute a point of order. The motion has not been moved and is therefore not the property of the House. It is not a case of it being withdrawn or not withdrawn, proceeded with or otherwise. It is clear that

it has not been moved and we must proceed to the next business.

**Mr C Wilson:** On a point of order, Mr Initial Presiding Officer. I said that it was my intention to withdraw the motion, but I have not actually reached that point.

**The Initial Presiding Officer:** I admire your ingenuity, but as it is clearly your intention not to move the motion, it is inappropriate to permit speeches on the issue. That is my ruling.

**Mr C Wilson:** Further to my point of order, Mr Initial Presiding Officer. For the information of the House, the SDLP's nominee will be Mr Mark Durkan. Members first heard it here.

**The Initial Presiding Officer:** Order. In my experience a day is a long time in politics and in proposals for the Presiding Officer.

**Mr McGrady:** The Members remarks show how ill-informed he is.

**The Initial Presiding Officer:** Is that a point of order?

## REPORT OF FIRST MINISTER (DESIGNATE) AND DEPUTY

### DETERMINATION OF MINISTERIAL OFFICES

**The Initial Presiding Officer:** At the most recent meeting of the Committee to Advise the Presiding Officer, there was discussion of a proposal, by leave of the Assembly, to alter the speaking times set out in Initial Standing Order 8(5).

Following that discussion, it was agreed that the Assembly should judge the matter at the sitting. The proposition was that speaking times would be amended for the duration of the debate so that proposers of the motion would have 30 minutes, instead of 20 minutes, divided between proposers if they wished; that all parties in the first round of speaking would have 20 minutes, rather than 10; that other Members would have 10 minutes; that the four largest parties would have 20 minutes for the winding-up speech; and that the proposers of the motion would have 20 minutes for the winding-up speech, divided as they wished, instead of the current 15 minutes.

Do we have the leave of the Assembly for those proposals?

**Several Members:** No.

**The Initial Presiding Officer:** Leave has not been given.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. I note that those who are least willing to have fuller debate are the Ulster Unionist Members. Clearly they are concerned that their argument could not sustain scrutiny. They want to deny Members the opportunity to speak more fully on the issues, and that shows how weak their arguments are and demonstrates that they are running scared of debate.

Perhaps I could put another proposal under Standing Order 8(5) which will give those Members a chance to reflect on their immaturity and to recognise that this is a democratic institution, which is supposed to allow free and open debate. They should not be afraid of that, although one can understand why they might be. I suggest that the proposer, or proposers, share 30 minutes between them, and that all Front-Bench spokespersons have 20 minutes each, but that the 20 minutes is not accorded to the Member who is winding-up, nor is any extension of time given to the person who makes the winding-up speech for the proposer.

**The Initial Presiding Officer:** Perhaps I could clarify the matter. As I understand it, the proposition is that the joint proposers would have 30 minutes each—that would be up to 60 minutes for the proposition; there would be 20 minutes for all parties in the first round; 10 minutes for other Members; and no additional time for the winding-up speeches for the larger parties. I am not clear, however, as to whether there was a proposition to extend the normal 15 minutes.

**Several Members:** No.

**The Initial Presiding Officer:** There has been no proposal for that. Are Members clear about the proposal? Do I have the leave of the Assembly to accept it?

**Several Members:** No.

**The Initial Presiding Officer:** There does not appear to be leave. I sense that the question is not on the format of an extension to speeches but on the proposition that speeches be extended.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. We had been informed by you that we could expect to have this report last Thursday. There has been a consistent habit on the parts of the First Minister (Designate) and the Deputy First Minister (Designate) to delay the publication of their reports beyond the time when they are scheduled to be released. Clearly they have some internal difficulties. However, those internal difficulties should not be in breach of arrangements that are made with business

managers of this House. Some of my colleagues did not receive this report until this morning because of the late publication. The First Minister (Designate) would do better to listen than to point his finger around and look at the Galleries of the House. It is his behaviour that we are referring to at the present time.

Is it in order for the First Minister (Designate) and the Deputy First Minister (Designate) to give indications to your office of the release times of reports, and consistently fail to meet those releasetimes, therefore denying Members the opportunity to read the report before it is debated in this Chamber?

**The Initial Presiding Officer:** I have to say that I find it a difficulty when I am passed information about how things will be, and I convey that in good faith to those who request it, and find that it appears the information I have given is incorrect. I apologise to the House that I find myself being the purveyor of inaccurate descriptions of how things will be, but I have found it difficult to do otherwise. I particularly regret that this is something that you have had to take from me on more than one occasion.

**The First Minister (Designate) (Mr Trimble):** On a point of order, Mr Presiding Officer. I will try to deal with the substance of that issue—which was not, I think, a point of order—later. I was gesturing with my fingers because the clocks appear to be malfunctioning. It has since been suggested to me that the reason for that might be that they are not trying to time the points of order. I wonder if that is correct.

**The Initial Presiding Officer:** I am not sure what the question is about the time. The time is currently 10.52 and 21 seconds.

**The First Minister (Designate):** The seconds are malfunctioning.

**The Initial Presiding Officer:** There seems to be a problem at times with the seconds counter, but the minutes and hours are currently correct. Although they may seem long as the time goes on, I suspect that they are reasonably correct.

**Mr Foster:** With regard to Mr Robinson's statement about the denial of freedom of speech, he has forgotten in his sanctimonious way about the denial of freedom of speech at Fivemiletown a couple of weeks ago.

**The Initial Presiding Officer:** Members must understand that although it may be tempting, it is not in order for other Members to reply to points of order.

**Rev Dr Ian Paisley:** The delay in receiving this report, Sir, inconvenienced those who had called meetings on Thursday in light of the promise made by you that this document would be available at half past four on Thursday. I contacted the First Minister (Designate)'s office, the Clerk's office and your own

office, and I was told by Mr Trimble's office that there was both political difficulty and logistical difficulty with this report. Those difficulties should have been solved by those concerned so that those of us who wanted to read this report and table amendments would have opportunity and time to do so.

In fact the report had to be collected and brought down to my home. However, that document is different to the one which is now printed. How can we do the business of this House when we are not given the proper document or given three clear days to read that document and table amendments? Surely this matter should not be re-occurring. It should be put right once and for all.

**The Initial Presiding Officer:** You have raised two issues, Dr Paisley, and the first of these is the question of the delivery of material to Members. In fairness to the staff of the Assembly, I must point out that it is not their responsibility to deliver material which emanates from Assembly business, although they do their best to oblige us.

A further substantial point of order relates to the question of amendments, and I must draw this to the attention of those who are considering our Standing Orders. Where it is the case that material arrives late and the Standing Order—unlike Standing Orders in other places—requires amendments to be put down one hour before the commencement of the sitting, there is no doubt that that creates certain difficulties which would not be encountered in other places where manuscript amendments can be put down.

I have to remain with, and ensure compliance with, the Standing Orders that we currently have. As Mr Robinson pointed out, I am not at liberty to either disregard them or to make up Standing Orders of my own. I do, however, accept that there is a dilemma between the practice of matters arriving late and the Standing Orders which insist that amendments must be put down at least one hour before the commencement of the sitting.

**Mr Weir:** On a point of order, Mr Initial Presiding Officer. With regard to the two motions arising out of the report, perhaps you would clarify whether you intend to have a separate debate on business motion number 5, or whether you intend to take the two votes together?

**The Initial Presiding Officer:** Perhaps I can explain to Members how I propose to conduct the business. There are two motions: the motion on the report, and a business motion which is for the purpose of a determination and refers to matters entirely contained within the report. On the Marshalled list of amendments, there are also two amendments—one amendment to the first motion and an amendment to the business motion.



Since it is clear that all matters referred to in the business motion are also referred to in the report, which is the subject of the first motion, it seems reasonable that the House should proceed by way of a single debate, within which would be contained the proposal of the first motion and any amendments.

When it comes to the vote, the amendment to the first motion, if moved, will be taken first. Depending upon the result of that, the substantive motion will then be taken. The amendment to the business motion will then be tabled but, since it will have been spoken to in the previous debate, will not be the subject of further discussion. The business motion will then be taken formally, full debate having been possible on all of the matters.

I wish to make it clear that I will not rule that a matter is not relevant to the first debate because it referred to the second. It seems to me they are all one matter. The Assembly will then proceed to four votes if the amendments are moved and the motions also moved at that point.

Is there any dissent to us proceeding on that basis?

There being no dissent, we have the leave of the House to proceed in that fashion.

The following motion stood on the Order Paper in the names of the First Minister (Designate) and the Deputy First Minister (Designate):

This Assembly takes note of the report prepared by the First Minister (Designate) and the Deputy First Minister (Designate), and approves the proposals in relation to establishing the consultative Civic Forum (as recorded in section 5 of that report).

The following amendment to that motion stood on the Marshalled List in the name of Rev Dr Ian Paisley:

Leave out from "Assembly" and insert

“, having noted the contents of the report prepared by the First Minister (Designate) and the Deputy First Minister (Designate), requires them to take back the report and reconsider it with a view to ensuring that—

it contains a specific requirement that any North/South body is accountable to the Assembly and does not perform any executive role;

the Civic Forum is properly appointed in order to ensure a balance of community interests and is merely consultative and not publicly deliberative; and

unnatural departmental divisions are corrected.”

The following motion stood on the Order Paper in the names of the First Minister (Designate) and the Deputy First Minister (Designate):

This Assembly approves the determination by the First Minister (Designate) and the Deputy First Minister (Designate) of the number of ministerial offices to be

held by Northern Ireland Ministers and the functions which would be exercisable by the holder of each such office after the appointed day (as recorded in Annex 2 of their report to the Assembly).

The following amendment stood on the Marshalled List in the name of Mr P Robinson: Leave out from “Assembly” and insert

“declines to approve the determination by the First Minister (Designate) and the Deputy First Minister (Designate) of the number of ministerial offices to be held by Northern Ireland Ministers and the functions which would be exercisable by the holder of each such office after the appointed day (as recorded in Annex 2 of their report to the Assembly) before Sinn Féin Members are excluded from holding office as Ministers or the IRA has decommissioned its illegal weaponry and dismantles its terror machine.”

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. I wish to mention two matters both of which relate to the report. It is essential, in a debate as important as the one on which we are about to embark, that Members have all of the necessary material in advance.

This is not a mere statement made by a Minister in the House; rather it is a report which deals with very major issues—indeed, probably the most major issue that the Assembly can deliberate upon. It is therefore absolutely imperative that every Member should be informed before a debate commences. At least four Members of my party did not receive the report upon which this debate is to be conducted until they arrived in the House this morning.

*11.00 am*

If, however, they had purchased the ‘Irish News’ on Saturday they could have read the full report. I should be interested to hear your opinion, Mr Initial Presiding Officer, of the standing of such a document. Is it public property as soon as the printers have done their work, is it available to just one newspaper or to all newspapers, or should it be available to any before it is available to Members of this House?

The second issue to do with the Order Paper. Because of the late delivery of the report, amendments could not be tabled before this morning, so there is no edge to my comments in relation to the staff of the House. There is a printing error in the first amendment. The last line says “unnatural departmental divisions are correct”. “Correct” should be “corrected”—the House should note the proper terminology—and that mistake is the fault of the First Minister (Designate) and the Deputy First Minister (Designate) who did not release the report in time.

**The Initial Presiding Officer:** I remind Members about what has just been said about the correction to the first amendment on the marshalled list: the last word in

amendment 1 should be “corrected” instead of “correct”.

Time was a difficulty with this, and I appreciate Mr Robinson’s comments about the staff who have striven to address matters as best they can. With regard to the previous point that was raised, the question of items being put in the public domain, it has always been a convention at Westminster, at least until recent times, that material did not make its way into the public domain in advance of its being made available to Parliament.

It has been made clear at meetings of the Committee to Advise the Presiding Officer (CAPO) that it would be regarded as a discourtesy if such were to happen here. However, there is nothing in Standing Orders that allows me to make a ruling on this. I can simply point out how Members feel about it, but the Executive (Designate) has to act as it wishes to. Members may feel that this is a discourtesy, but there is nothing in Standing Orders which allows me to rule on it one way or another. This is a matter which Members may wish to raise in other ways.

**Mr Hay:** On a point of order, Mr Initial Presiding Officer. As one of the Members who have not yet received a copy of the report through the post, I would like to support the Member for East Belfast, Mr Robinson. I only received a copy when I arrived here this morning. The point needs to be made clearly: this is an important report, and it is rather sad that the Ulster Unionist Party is determined to stifle debate on this important issue.

**The Initial Presiding Officer:** I understand the feelings of Members who did not receive copies of the report, but I cannot take it further as a point of order.

**The First Minister (Designate):** It is my pleasure to introduce the motions on the report that we have produced.

**Mr Maskey:** On a point of order, Mr Initial Presiding Officer. I note that the report contains, as far as I can understand—*[Interruption]*

The Member must be a mind reader, apart from anything else, because he does not know what I am about to raise.

I want clarification, as we are supposed to vote on and adopt the report, specifically on annex 2 where we have the determination by the First and the Deputy First Ministers (Designate) on the 10 ministerial offices and the Departments. I am uncertain as to why annex 1a is not also included. We are being asked to adopt the report, which contains the number of Ministries and the definition of a Ministry but does not contain their actual functions. Neither is there any detailed reference to the Office of the First Minister (Designate) and the Deputy

First Minister (Designate), albeit, as I see it, it would take an Assembly of its own to organise that.

Are we being asked to adopt what is contained in annex 2 and in annex 1 in relation to the 10 Departments? Are we also being asked to adopt what is said about the Office of the First Minister (Designate) and the Deputy First Minister (Designate), which are both excluded from annex 2? This is very important.

**The Initial Presiding Officer:** I have sought advice on this matter at a number of levels. It is not appropriate for me, in any fashion, to look at the question of the content of the advice—that is not a matter for me at all. It is only for me to try to make proper judgements about the legal competence. As things currently stand, I have been assured that by the time the matter becomes extant, all the necessary matters will have been addressed by way of legislation. It will all have been addressed by then. I cannot do other than to accept that assurance, and with that assurance, as far as I can see, the proposition is a competent one.

**Mr Maskey:** Further to that point, A Chathaoirigh. You are saying you have been assured, and I have no doubt that you have been, but, for the record, I would like to know by whom. Will the First Minister (Designate) and Deputy First Minister (Designate) make specific reference to this in their contributions?

**The Initial Presiding Officer:** It will obviously be up to the First and Deputy First Ministers (Designate) to refer to the matters if they choose to do so. The advice that I sought was legal advice and the advice of those whose responsibility it would be to ensure that the legislation is passed. That would not be in this place, but in another place. The advice I have received is that all the necessary legislation will have been passed by the date required.

**Rev Dr Ian Paisley:** Mr Initial Presiding Officer, are you saying that we will have to wait until the two Ministers concerned have a mind to give us this information? This information should have been in the document, rather than your saying that you have been given an assurance that we will get it.

**The Initial Presiding Officer:** Let me make it clear that it is not for me to do anything other than try to ensure that a motion that comes before the House is a legally competent one. It would be quite inappropriate for me to even explore other matters. I have made explorations in order to try to ensure that the matters will be dealt with competently, and I have been assured that that is the case. As regards the content and all the other matters, Dr Paisley must refer his questions to people other than myself. They are not points of order in that regard.

**Mr Maskey:** My interpretation of this is that the legislation will not apply to shadow Ministers, so if a shadow Executive is established, which of those designated functions will the shadow Ministers be responsible for?

**The Initial Presiding Officer:** I hope I am not straying outside what is appropriate, but I draw to Members' attention the fact that shadow Ministers do not have legal authority and responsibility for any Departments. They are there to shadow, to learn, to apprentice themselves into the position.

It is obviously complex given that there are currently six Departments, and this is a proposition for rather more than that, but they do not have responsibilities according to the legislation.

**The First Minister (Designate):** The report was drawn up on the basis of legal advice that we received that the content of annex 2 satisfied the requirements of the legislation and the Standing Orders. We also endeavoured to ensure that all relevant information was contained in the other annexes. Annex 1a gives a more detailed description of the functions of the Departments because it encompasses the functions that we missed in the 18 December statement. The distribution of functions contained in that statement is also given, for ease of reference, so people comparing 1a and 1b will be able to see what the missing functions were and how they have been allocated.

We wanted to and had hoped to make this report available to people much earlier. Part of the reason for the delay was the detail that we had to determine and settle with regard to the Civic Forum. That is one of the important new matters in this report compared to others. Members will see that the motion asks them specifically to approve the proposals in relation to establishing a consultative Civic Forum. That means that that approval will turn this part of the report on the Civic Forum into the basic law of the Civic Forum, and, consequently, it was necessary to include material on the Civic Forum in considerable detail so that we can be clearly agreed on it.

It was not adequate at that stage to sketch general outline provisions on the Civic Forum. If we had just indicated it in outline, we would not be bringing forward the detail until after devolution day. Consequently, we would be delaying the point at which the Civic Forum would come into existence. In order to be able to bring the Civic Forum into existence very soon after D-Day, it was necessary to get details settled here, and we have gone as far as we possibly could—indeed, some matters were not resolved until Friday morning.

I am sorry to say that another reason for the delay is that, in making these changes to Departments, we are encountering a certain amount of turf war between

Departments. We are also encountering a reluctance on the part of some officials to realise that things are changing. I do not want to go into detail on that. People are resisting changes. I know that it is difficult for some senior civil servants, after 25 years of direct rule, to accept that elected Members are gaining authority and making decisions which officials have to accept and implement. The rearguard action that is being fought by some Departments against the changes that were agreed on 18 December is most regrettable. I hope that the Departments responsible will accept the decisions that we as elected representatives have taken in this Chamber and will implement them loyally. I hope I do not have to refer to this matter again.

When Mr Maskey held up his report his thumb was on the typographical error in annex 2, and I thought that he was about to refer to it. The reference to the Minister of Enterprise, Trade and Development should read the Minister of Enterprise, Trade and Investment. There is at least one other typographical error in the body of the report, but for brevity's sake I will not get into the substance of that.

I have said that the new material relates essentially to the British-Irish Council and the Civic Forum. I will not go through this in detail, but would point out that the key concept is to encourage the creation of consortiums in various sectors which will then nominate individuals. The Deputy First Minister and I were anxious to avoid a situation where we were directly responsible for all nominees. We will accept responsibility for some, but we will have that residual category to ensure a proper balance. The organisations that are to be involved in this Civic Forum have to accept responsibility for their nominations. We will accept responsibility for oversight and to ensure that fair and open procedures are adopted and followed, but nominations must come from them.

The important step in this debate is the determination on Departments. That is the next step in a series of steps leading to the transfer of power to this body. That is the real question that we have to deal with, and we will have to deal with it in the run-up to the target date for that transfer of 10 March.

Essentially, we are today reviewing progress and making a formal determination. The real question is whether we manage in the run-up to the 10 March to see that everything is done that should be done. Members are aware of my party's stance. We intend to do everything that we need to do and that we can do regarding that transfer. But there are other things that should be done by other people, and they include matters that some people have not yet addressed. They will have to do these things. I do not wish to labour the point—the Irish Prime Minister said everything that was necessary to be said on this matter yesterday morning. It was published and while the pill was



sugared slightly for some people in the course of the day, they should not think that they can evade the issue. It cannot be evaded. It is a matter not just for Sinn Féin, but for other parliamentary organisations. They must be under no illusion as to what is required by the agreement for progress. We hope that in the run-up to 10 March, they can achieve what is necessary and can carry out their obligations.

11.15 am

We want to see this body progressing in an inclusive fashion. That is our primary objective. That can happen only if people carry out their obligations and cease clinging to this interpretation of the agreement which the Taoiseach rightly described as unreasonable, unfair and illogical.

It is time for people to do what they have to do, and that must be done in the run up to 10 March. The real question is what will happen in that period when we will be trying to juggle the necessary provisions for the devolution Order, which will have to start at Westminster, and the proceedings that we will have to adopt in the House in March. This is merely a staging post on the route to that destination, and I hope that we reach it with all the necessary steps having been taken.

Some amendments have been tabled, and I want to touch on them briefly. I preferred the original drafting of amendment No. 1 rather than the corrected drafting that was produced by Mr P Robinson. The final words of the original draft that the

“departmental divisions are correct”

is in fact the case. They may be described as unnatural, but they are also correct. The DUP wants to see them changed, but without showing how that should be done. That is not an amendment that we can accept. Neither can we accept amendment No. 1 to the determination because to decline to approve the determination merely stops the process and does not achieve anything.

What must happen and what is important is that before the appointed day and the transfer of functions to the Executive, and, indeed, before the formation of the Executive, we must see a credible beginning of a process of decommissioning. As the Ulster Unionist Party reiterated at its executive meeting on Saturday, it will stick to that requirement, and that will be the view of all members of our party. We are united on that. Consequently, as we are on a staging post towards achieving—

**Mr M McGuinness:** Will the Member give way?

**The First Minister (Designate):** No, I am sorry. Having refused to give way to one Member, I must be equal and even-handed in my approach and treat all

Members equally on this matter. This is a staging post towards the achievement of that, and I look forward to the day when power can be transferred to the Assembly; when there are not shadow Ministers, but real Ministers; and when the Assembly can carry out all that we have worked for over recent years. I look forward to that time, and I hope that we will do that in the good spirit that is beginning to develop within all sections in the Chamber. That must be the earnest wish of us all.

**The Deputy First Minister (Designate) (Mr Mallon):**

May I, like the First Minister (Designate), apologise for the delay in the report reaching Members. There were many difficulties, not the least of which was the complexity of some of the new, creative and imaginative arrangements, and that delayed us. Yes, there were difficulties in relation to the text. There will always be difficulties in this type of arrangement, and I would have preferred the report to be with Members sooner.

The difficulties are there because of the very nature of the arrangements. I would not like it to be thought that that was the fault of the Civil Service or any civil servants. I thank them and the Members who took part in the round-table and bilateral arrangements for their input on many of the issues, not least the Civic Forum.

Today is a crucial one in the political process that we have embarked upon. It is the beginning of the end of the initial section of this part of our new politics. From now on there will be no more time or space for delay or for prevarication. We have the target dates, and we will know what we have to do when this motion is passed, as it will be. It defines not just the substance but the time in which we all have either to implement both the letter and the spirit of the Good Friday Agreement, or resile from it.

This should not be an acrimonious debate; rather it should be serious and constructive. We should listen seriously to what others have to say, and not just listen, but understand what they have to say and why they are saying it. We have to generate the amount of trust which is going to be required to make a quadripartite-coalition type of administration work. That has been difficult, even on the limited basis so far, and it is going to be difficult in future. If we can have as serious a debate as possible without acrimony, the better for all of us.

We should not underestimate the amount of work that has gone into this report. It has become difficult, and it will become more difficult as the complexities of the arrangement show themselves. The reality is that we have been able to overcome some difficulties—the difficulties of timing, the difficulties of understanding the agreement and the difficulties of party positions. All of those difficulties have been overcome on this, and



that against the background of the continuing question of decommissioning.

I know that it should not overshadow this debate, but we must rise above the difficulties that we face. We have to sustain the vision that carried the negotiating and the adoption of this agreement through. We have to sustain the potential for the future that we have in this room and in this political process.

On the issue of decommissioning I want to make a few points that sometimes are lost. Decommissioning will be resolved by voluntary act or not at all. Those are the exact words of Sir Patrick Mayhew in his last speech in the House of Commons—the Patrick Mayhew who devised, created or stumbled into the Washington preconditions which laboured this problem for so long.

If we accept that it will be by the voluntary decision of the groupings involved or not at all, then we have to face that fact. If this is not the case, and I am wrong in this, by what other way is it going to be achieved? What else has not been tried? What else could be tried? By what other way can it be achieved? That is the first question that we all have to look at.

The second crucial point is that we forget that it is only in the context of this agreement that decommissioning will happen. Outside of this agreement there will be no decommissioning. I say this sincerely to people who have strong views about it: damage this agreement and we damage the prospect of achieving decommissioning. Lose this agreement and we lose any prospect of decommissioning. That is a harsh reality for all of us, but it is another of the fundamental points that should underline our thinking.

The third point is that decommissioning is a requirement of the agreement. The very structures of the institutions, the inclusivity, the shape of the sections on prisoner releases, law reform, human rights, equality and normalisation were all shaped for a context in which decommissioning would take place and violence and the threat of violence had ended. It follows then that it is an inexorable requirement of the agreement that we fulfill the Mitchell principles, and they were arrived at even before the negotiations started. They said that there would be some decommissioning—not before, not after, but during the negotiations. Negotiations have ended—they took two years. We are almost a year into the agreement, and I believe that the words of the Mitchell Report are as applicable now as they were then.

The fourth very important point is that decommissioning is not a precondition within the agreement. There is no legal or technical factor to suggest that it is, and to portray it as such overburdens

the debate, as it probably does the prospect of obtaining decommissioning.

The fifth very important point—and I say this from some experience—is that without a resolution of the decommissioning issue there will not be sufficient trust in the political process to make it work effectively and creatively within the institutions which we are going to adopt today.

Trust is a rare thing among political parties. It has to be nurtured and encouraged, and that is difficult. We will never get absolute trust between any of the parties here or among them. What we can aim for is sufficient trust to make that which we have already agreed in the Good Friday Agreement and in the institutions work. However, unless this issue is resolved, that trust is not going to be there to make this agreement work in the creative, imaginative and determined way that it should.

It follows that the problems that are faced by the Ulster Unionist Party and Sinn Féin must be looked at honestly, and there are problems. I say, especially to those on the Unionist Benches today who have strong feelings and who might be tempted to vote against this motion because of this issue, that, outside of the agreement, there will be no context in which decommissioning can be achieved. I ask them to seriously consider that and weigh it against the agreement's potential to achieve lasting peace and to make that lasting peace part of the political process, not as a word, but as the underlying thesis.

I recognise Sinn Féin's difficulties on this matter, and I take this opportunity to put on record my acknowledgement of the courage with which many in that party have challenged those in the wider Republican organisation on this issue. I say very clearly to them that, like all of us, we should have only one resolve today: to all stand by this agreement. We stand by both the letter of the agreement and the spirit of the agreement. If we are all resolved in terms of this debate to stand by this agreement, then we can build sufficient trust to make what we have decided operative.

I know there will be a long and detailed debate on the various parts of the report and I thank you, Mr Initial Presiding Officer, for the opportunity to respond in detail to some of those. However, there is one message today and it is this. We can either lay the basis today for resolving these issues and moving forward, or we can ensure that that which we have already agreed, and staked so much on, is put in jeopardy. Surely there is only one way to go, and that is the way forward on the basis of an agreement that we all resolved to stand by. There is no other way.

**The Initial Presiding Officer:** I call Dr Paisley to introduce the first amendment.

11.30 am

**Rev Dr Ian Paisley:** As has been mentioned before, the last sentence of the amendment should read “unnatural departmental divisions are corrected.”

The amendment standing in my name is as follows: Leave out from “Assembly” and insert

“having noted the contents of the Report prepared by the First Minister (Designate) and the Deputy First Minister (Designate), requires them to take back the Report and reconsider it with a view to ensuring that –

it contains a specific requirement that any North/South body is accountable to the Assembly and does not perform any executive role;

the Civic Forum is properly appointed in order to ensure a balance of community interests and is merely consultative and not publicly deliberative; and

unnatural departmental divisions are corrected.”

It is very interesting to note that there is no mention whatsoever of decommissioning in the report. The First Minister (Designate) and the Deputy First Minister (Designate) spent most of their time commenting on decommissioning, but nothing is said about it in this paper. It is not referred to because nothing is really going to be done about it. The object of this debate is to see that Ulster Unionist Party Members vote in the right way on this report. In other words, the Members must now endorse the cheque that they voted for at the last sitting.

But interesting things are happening. Mr Ahern has said

“decommissioning in one form or another has to happen. It is not compatible with being a part of a government, and part of an executive if there is not at least a commencement of decommissioning. That would apply in the North and in the South.”

This is what Mr Ahern said that we need to achieve. But then he was asked if he was really saying that, regardless of what it says in the agreement, the practical policies are that there can be no executive without a start to decommissioning. His answer was “Yes”, but that was in the morning. Before the sun had set he had evidently changed his mind.

His change of mind came because there are guns on the table, under the table and outside the door of these negotiations. Mr Hume said that there would be no guns—but the guns are there, and Mr Ahern had to do a U-turn. Mr Ahern thought he would help Mr Trimble get reticent Ulster Unionists to vote for the report, he gave them the sop that he was with them in their attempt to keep Sinn Féin out of the Executive until such times as decommissioning had, at least, started.

But no such thing is in the mind of the Taoiseach. In fact, the Southern Ireland Government have violated every agreement that they have entered into with the

United Kingdom, and they are seeking to violate this agreement with their usual skulduggery and deception.

As far back as September 1997 the Ulster Unionists and my party issued a statement, jointly signed by Mr Trimble and myself, which said

“The two parties are totally agreed that the principle of consent which is the right of the people of Northern Ireland alone to determine their own future is a fundamental governing principle which must apply in all circumstances. This principle must be accepted by the Government and all parties.

Our two parties are also agreed that the issue of the decommissioning, i.e. the handing over of illegal terrorist weaponry, must be resolved to their satisfaction before there could be substantive political negotiations.

Recognising the need for greater Unionist unity of approach at this critical time, the parties have agreed to meet again shortly.”

In a matter of weeks, Mr Trimble had made a U-turn. When Sinn Féin was brought in there was no decommissioning, and my party, as it said it would in its election manifesto, immediately withdrew from the talks. It is a bit late in the day for the Official Unionists to attempt to build a barricade now. The flood waters are flowing, and they are not flowing their way.

This attempt to tell us that there will be no executive unless Sinn Féin is a member is wrong, and it will be proved to be wrong. The two Governments and world opinion will be stronger than the determination of Mr Trimble. How strong will these Members be who went to the electorate and gave assurances, as my party did, that they would not sit down with Sinn Féin in an Executive?

It is amazing that this most important debate is being gagged by the votes of the Official Unionist Party. In no other Assembly would the party leaders be given only 10 minutes to speak to a motion of this kind. Why have we not had a full-scale debate with proper timings? We did not even get the documents.

**The Deputy First Minister (Designate):** Will the Member give way?

**Rev Dr Ian Paisley:** No, for I have only 10 minutes, after which Deputy First Minister (Designate) will be shouting me down.

Pick up the document and consider the Civic Forum—an amazing body. The largest industry in Northern Ireland is agriculture and fisheries—and agriculture is major in comparison with the fisheries side—yet it is only getting three voices.

I have heard many Members on the Unionist Benches speaking about the victims and about how and their voices must be heard. Yet they are only getting two voices—two voices. Let us consider the victims of

all the violence in this Province. Let us march them past the city hall and measure the number of hours it takes for the multitude of victims to pass by a given point and then think as well of the number who have been murdered. But the victims and their loved ones will have two voices to tell of their plight—probably one from the Nationalist side and one from the Unionist side. There is no distinction made today between innocent victims and others; they tell us that victims are all the same.

However, the voluntary/community bodies, which are highly rated by the Official Unionist Party, will get 18 voices—18 voices. The First Minister (Designate) and the Deputy First Minister (Designate) are to reserve for themselves not two places, but six. They will have more voices than the victims or the agricultural interests, yet we are being told that we must rush through this determination with a short debate.

What will be the end of this matter? The Deputy First Minister (Designate) has told us that the only way ahead is to give in to the lawless, to the people with the Semtex and the guns that have been used to commit these murders. I will never crawl before these people.

**Mr P Robinson:** I listened with great care to the First Minister (Designate) and the Deputy First Minister (Designate). I prefer to listen to people who believe what they are saying, and that is certainly true of the Deputy First Minister. I do not agree with him, but at least he speaks like a man who believes in what he says. However, the First Minister (Designate) spoke without passion or conviction. He spoke, not as someone who had something to say, but as someone who had to say something. That was the sum total of his short contribution. I listened to his case to see whether it would justify the abandonment of the Ulster Unionist Party's election commitment. It did not.

**The First Minister (Designate):** On a point of order, Mr Initial Presiding Officer. It may be in order for the Member to say that he does not believe me, but it is not in order for him to say that I do not believe myself. I do.

**Mr P Robinson:** I note, Mr Initial Presiding Officer, that you have chosen not to rule on that matter.

I also listened out for an explanation as to why he is setting up what everyone knows will be an embryo united Ireland. He is setting up all-Ireland bodies with executive powers which, at this stage, are clearly unaccountable to the Assembly. There was no explanation for that. I also listened for his reasoning for handing over responsibility for further developments to people outside the Unionist community. That did not come either.

As the Deputy First Minister (Designate) spoke, I detected the distinction that can be made between his stance on decommissioning and mine. He says, quite

rightly, that decommissioning, in the form in which we are discussing it, is a voluntary matter, and that it is up to the organisations that hold weapons to decide whether to hand them over. He then jumps from that position to saying that decommissioning will not happen unless we agree to this kind of accommodation.

The question arising from the report is not will decommissioning happen, but is it right to have in government those who refuse to decommission. That is the issue that we must decide. It is a key issue for Unionists in particular, because Unionists of all parties, except perhaps one, have an electoral commitment on this matter. There are four stages on the road to Sinn Féin/IRA membership of an executive.

**Mr M McGuinness:** On a point of order, Mr Initial Presiding Officer. Would you point out to Mr Robinson that there is no such organisation as Sinn Féin/IRA in the Chamber?

*11.45 am*

**The Initial Presiding Officer:** I am afraid that it is rather difficult for me to rule in respect of the way Members address each other, unless it is perfectly plain that they are using disreputable and unparliamentary language. Members do not always refer to each other as one might wish. I register that, but I am not sure that I can rule in the way that the Member wants me to.

**Mr M McGuinness:** Further to that point of order. I take exception to the remark. When I came into this Chamber I was asked to sign a book, and after my name I put the name of my political party and a designation of Nationalist or Unionist. I did all of that, and at no stage in the process did anyone from my party sign as Sinn Féin/IRA. For that reason we take exception to the use of this language, and I wish you, as Initial Presiding Officer, to point out to Mr Robinson and to anyone else using that term that they are totally out of order.

**The Initial Presiding Officer:** I can certainly confirm that the Member and his Colleagues signed the book in precisely the way that the Member has described. There is no question about that, and, as far as I am aware, when the Member stood for election he did so in the same way. However, the Member is asking me to rule that other Members are out of order when they choose to make a certain reference. That is a problem for me, because one of the purposes of having absolute privilege in the Chamber is not to enable people to say things which they could not say in other places but to enable them to be free to say what they believe.

As long as the language used is not unparliamentary, I have to adhere to the principle that allows a degree of freedom of speech—and that privilege is accorded—and it would be difficult for me to make a ruling that would accommodate the Member's request. I know that this is unwelcome, and other Members in the



Chamber have found rulings which I have given on matters not altogether different from this unwelcome, but I do not think that there is anything other than I can do under the current Standing Orders.

**Mr M McGuinness:** Further to that point of order, Mr Initial Presiding Officer. I consider the language used to be unparliamentary, and I would like you to rule it as such.

**The Initial Presiding Officer:** I can understand that you may. I have been asked to rule on other matters—for example, in respect of comments that have been regarded as deeply unflattering and discourteous to women Members—and I have looked into them as best I can and have found myself unable to rule on them.

Some of what has been said in respect of women Members has been regarded as discourteous and unflattering, and manifestly so, and I said so at the time. However, it remained within what is parliamentary. If an inaccurate description is being used, that does not make it unparliamentary. Even if the Member regarded it as unflattering and discourteous to be referred to in that way, that would not make it unparliamentary. However, if the Member is saying that there is some accusation in the reference, that makes the matter somewhat complex, I will try to look at it as best I can.

**Mr M McGuinness:** Clearly in the Member's remarks an accusation is being levelled at my party, and the Initial Presiding Officer has indicated—

**Rev Dr Ian Paisley:** On a point of order, Mr Initial Presiding Officer.

**The Initial Presiding Officer:** I cannot take a point of order during a point of order.

**Rev Dr Ian Paisley:** He did not say “a point of order”.

**Mr M McGuinness:** The Member should wait until my point of order is finished.

**Rev Dr Ian Paisley:** He did not say “a point of order”.

**Mr M McGuinness:** I said “a further point of order”.

**Rev Dr Ian Paisley:** The Member did not.

**The Initial Presiding Officer:** Order. Had I not believed it to be a point of order I would not have taken it because it would have been an intervention during Mr Robinson's speech. I am taking it as a point of order, and then I will take Dr Paisley's point of order.

**Mr M McGuinness:** I have made my point. Quite clearly, in the course of the Member's contribution, a serious allegation was levelled against 18 Members of this House. As Initial Presiding Officer, you have indicated that if accusations were levelled, you would

have to consider the matter further and take a view on it. I now wish you to do so.

**The Initial Presiding Officer:** Any time Members have raised questions and asked me to look at them, I have done so to the best of my ability and reported to the next Assembly sitting. I will do so again in this matter.

The Member made one remark which needs a brief response. It is established and accepted practice that a remark made in respect of a party does not carry the same kind of connotation as one made in respect of an individual. When the Member said that in making a remark about the party as a whole accusations were being levelled against 18 individuals, it is my understanding that, in parliamentary terms, that is not the case and that remarks which might be made of a party cannot be judged at the same level and in the same way as remarks which were levelled in respect of an individual. It is important that I point that out.

However the Member has made a request, and I respect that request. I will look into it, and I will respond and give a ruling at the next sitting.

**Mr M McGuinness:** Further to my point—

**The Initial Presiding Officer:** I am afraid that, in the order of things, I must take Dr Paisley.

**Mr M McGuinness:** This is an important point.

**The Initial Presiding Officer:** Would the Member please resume his seat. Dr Paisley's was the next point of order and after that—if there is a further point of order—I will take it.

**Rev Dr Ian Paisley:** On a point of procedure, Sir. Surely a Member cannot rise up after making a point of order and start a discussion on the ruling made by the Chair. It must be prefaced by the words “On a further point of order”. The Member did not do that. He thought he would just carry on his conversation with the Chair. I am pointing out to the House, and I think you will agree with me, that even if we are on a point of order, I can only address the Chair if the Chair takes a further point of order from me.

**The Initial Presiding Officer:** There is no doubt that the Member is correct. That is the proper way to handle things. I confess that in these early months, I have largely accepted the fact that many Members will be less experienced than he in these matters and will be learning. I have no doubt that what he has said—and it is absolutely correct—will be taken on board by other Members and that they will respect that.

**Mr M McGuinness:** Further to the point made by the Initial Presiding Officer in relation to whether or not an accusation is made against an individual as opposed to a political party, the Initial Presiding Officer should



take on board very seriously indeed the fact that Sinn Féin has lost many of its members as a result of people being killed. A climate has been created on the outside whereby Sinn Féin has demonised, whereby it was effectively set up, whereby people like John Davey and Bernard O'Hagan—elected Sinn Féin councillors—lost their lives.

The Initial Presiding Officer should consider that an accusation against a political party is possibly even more serious than an accusation against an individual, because it can affect the lives of so many more people.

**The Initial Presiding Officer:** I respect what the Member says. It will undoubtedly form part of my considerations. If Members wish to make points of order it would be helpful if they could begin by pointing out that they wish to raise a point of order. Otherwise the distinction between points of order and other interventions disappears—to no one's advantage.

**Mr Dodds:** On a point of order, Mr Initial Presiding Officer. As Members are aware we have privilege within this Chamber if Members feel so strongly about allegations which are made about their links to and membership of the IRA. In today's 'Daily Telegraph', the Member who was on his feet is referred to as a leading member of the IRA's army council. Let us see if he sues the 'Daily Telegraph' instead of lecturing people here with his nauseating hypocrisy, given the murders that his organisation has carried out in the Province.

**The Initial Presiding Officer:** I hope that we will not find ourselves stretching questions of privilege in this place. Mr Robinson should continue with his intervention.

**Mr P Robinson:** I am grateful. That was an interesting distraction. I was not aware that Sinn Féin was so embarrassed and ashamed of its relationship with the IRA, particularly given the person who raised the issue.

He is a self-confessed IRA man. I have watched him on television confessing his IRA membership—a former commander of the IRA in Londonderry, at present a member of the IRA's army council. Let us see what he has had to say about his relationship with the IRA. I quote from the 'Irish News' of 23 June 1986:

“ ‘Freedom can only be gained at the point of an IRA rifle’ Sinn Féin's Martin McGuinness said at yesterday's Wolfe Tone commemoration”.

**Mr Molloy:** On a point of order, Mr Initial Presiding Officer. Of what relevance is this to the debate we have in hand? Surely the Member should be speaking about the report?

**The Initial Presiding Officer:** One of the difficulties is that interventions often cause a debate to stray from the matter before the House. If an intervention is made, it is difficult to blame the Member for responding to it. Let us try to focus on the point at issue.

**Mr Molloy:** You should be reminding the Member that he should return to the report in question.

**The Initial Presiding Officer:** I have been reasonably flexible and generous with quite a number of Members, given the points of order that have been raised. Even within the past 10 or 15 minutes, there has been a degree of flexibility and generosity in that regard. Therefore I do not feel able to move in the way you have requested me to.

**Mr P Robinson:** I find it quite touching that Mr “We'll go back to what we do best” Molloy is so interested in hearing my remarks on this report.

I was saying that there were four steps in the process towards membership by members of Sinn Féin/IRA in a Northern Ireland Executive. They are not debatable; they are not something that we, as an Assembly, can alter. They are set down in statute, and they are going to be taken. Indeed, some of them have already been taken.

The first step was the determination. A determination had to be made by the First Minister (Designate) and the Deputy First Minister (Designate), and that was effectively done on 18 December. It was included, in large part, in the report that was received by the Assembly on 18 January, and it is contained within this report, which includes an addendum. So the determination has been made, and there is nothing that the Assembly can do about it.

The second step is approval by the Assembly of that determination, and I will come back to that in a moment. The third step is the provision by the Secretary of State for Northern Ireland of the necessary Initial Standing Orders to enable us to run the mechanism. And the fourth step is the one by which the Initial Presiding Officer triggers that mechanism within the Assembly.

The first step has already been taken, and we need to recognise that, as far as Unionist Members of the Assembly are concerned, the only one of those four steps over which we have any control whatsoever is the present stage, the giving of formal approval to that determination.

Is there any Unionist Member brave enough to say that he trusts the Secretary of State to withhold those Standing Orders to avoid Unionists being placed in the embarrassing position of having Sinn Féin/IRA representatives in a shadow executive or a full executive? And is there any Unionist who would

expect the Initial Presiding Officer to do anything other than fulfil his obligation to enforce those Standing Orders?

The Secretary of State has full power, under the Northern Ireland (Elections) Act 1998, to release the Standing Orders to the Initial Presiding Officer. He will then have an obligation. This will not be a matter of his choice—he will have no say whatsoever. He will have to act immediately on the new Standing Orders that the Secretary of State releases to him. So the only step over which Unionist Members will have any say is the present step.

Are they relying upon the SDLP's supporting them on a motion to exclude Sinn Féin/IRA from the executive if they allow this step to be taken?

12.00

Anyone who believes that the SDLP is going to turn on Sinn Féin/IRA does not understand the nuances of Nationalist politics. Do they believe that the IRA might begin to decommission? It will certainly not begin to decommission under the terms that the Deputy First Minister (Designate) has suggested where it would be substantial and verifiable and clearly part of a process to completely decommission. Perhaps it is what they have been telling some of their colleagues around the corridors. There will be a scorched earth policy. They will allow this to go through but when it comes to the stage of appointing people they are going to pull the rug from under the Assembly, precipitate a crisis and bring the House down unless decommissioning has begun.

Do they really believe what their leader is telling them on this matter? Indeed, that might be an issue worth exploring. Let me ask the Ulster Unionist Members, who are going to take a key decision today, tomorrow or the next day, if there is any one of them who really believes that the leader of the Ulster Unionist Party is not prepared to sit down in a shadow executive or a full executive with Members of Sinn Féin/IRA before decommissioning has taken place. I would like them to put their hands up if they are prepared to risk their political careers and resign from this House if he does not. Let us see the hands go up from those on the Ulster Unionist Benches who trust their leader in that respect. Not one of them trusts him to do that. Not one of them is prepared to do it. They are not prepared to risk their careers by doing so, but they are prepared to risk the future of the Union by voting for this motion.

We all recognise that in our lives there are moments when we will take a decision that will have profound consequences. There are even occasions when it is of such profound consequence that it will have an effect, not only on ourselves but on all those around us. This is one of those occasions.

The way Ulster Unionist Members and others vote in this debate today will have consequences for the Union. They cannot escape those consequences. They cannot sometime in the future say "We were loyal members of the Ulster Unionist Party, we faithfully followed our leader, and we did what he asked us to do." Now that they have been warned of the consequences they cannot say at some later stage that they did not know what the outcome was going to be. They have been warned what it is going to be. To vote for this report is to vote for the destruction of the Union and for Sinn Féin/IRA in government. They need not try to tell their electorate otherwise.

**Mr Birnie:** I welcome this report. On 18 January I focused mainly on the North/South aspect. Today I am going to turn to an equally important, equally valid aspect of the implementation of the Belfast Agreement—the British-Irish Council (BIC).

Before coming to that I want to say a few words about another element of this report—the Civic Forum. There are a number of key principles which we, as a party, believe are reflected in this report. We believe that in the structures for the Civic Forum there is indeed a wide representation of those groupings who have a reasonable right to be represented. There is transparency about the nomination and election procedures and, if there proves to be problems in practice, there is written into them the provision for a review of the practice of the Civic Forum. What we wish to avoid is a situation where members of the Civic Forum have what a Conservative Prime Minister of the 1930s, Stanley Baldwin, referred to as "power without responsibility: the prerogative of the harlot throughout the ages". We do not want that to apply to the Civic Forum, and we believe that the structure, as offered, will safeguard against that.

It is said currently that some of the difficulties being felt in South-East Asia, in terms of the economic crisis, relate to so-called crony capitalism. The provisions in the report ensure that the Civic Forum will not be subject to crony corporatism. The report envisages that not only will the North/South Ministerial Council meet in so-called shadow form, but so will the British-Irish Council. They will meet at roughly the same time. We hope to have parity of esteem on issues such as the size of the secretariat to the British-Irish Council relative to that for the North/South Ministerial Council, and on the location for a permanent support secretariat for the BIC.

At the shadow meeting stage, the BIC will consist of representatives from Belfast, Dublin and London, and the smaller islands. We shall have to await representation from the devolved administrations in Scotland and Wales. Perhaps much further down the line English regions will be represented. In the interim, we in the Ulster Unionist Party are making our best

efforts to seek the opinions of political parties and leaders in Scotland on the working of the BIC and are giving them our opinions.

The effort to get the BIC up and running and to formulate its procedures, which is mentioned in the report, is a complex matter but it is also a noble endeavour. We will keep in mind international precedents, and notably the Scandinavian example, the Nordic Council. Decision making in the British-Irish Council is to be by consensus. That can work, as the Scandinavian example demonstrates.

The BIC will have to settle the conundrum of who speaks for England. We will have to ensure that whatever procedures are adopted to represent English interests within the BIC, the views of the 50 million or so residents of England do not swamp the views of the 14 million residents of the so-called Celtic fringes.

The report refers to a work programme for the British-Irish Council. I welcome that prospect, and the Ulster Unionist Party has strong views on the matter. According to IDB figures, between 1991 and 1996, the sale of manufactured goods from Northern Ireland to the Republic of Ireland increased by 60%, whereas those going from Northern Ireland to Great Britain increased by only 22%.

It is against that background that we will be anxious to use the BIC to facilitate trade links between Northern Ireland and its largest external market—the rest of the United Kingdom. In that regard, I commend papers that were produced last month by the regional Confederation of British Industry on the issue of east-west transport and business proposals under strand three of the Belfast Agreement. We should look at the pricing, efficiency and frequency of sea links between Northern Ireland, Scotland, north-west England, and at the onward road and rail communications to London and the channel ports.

The Belfast Agreement stresses mutual benefit as much in the context of strand three as in the context of strand two, which we discussed previously. For example, the Dumfries and Galloway region of Scotland is well known to Northern Ireland people in terms of tourism. People from here visit places such as Ayr and Dumfries. It is one of the historic parts of Scotland and contains the homes of such great Scots as Sir Walter Scott, Thomas Carlyle and Rabbin Burns, or Bobbie Burns as the Taoiseach referred to him in a speech in Edinburgh last October. For all that, that part of Scotland is considered peripheral, relative to the central belt area containing Edinburgh and Glasgow. It has some of the highest unemployment and lowest gross domestic product per head of any part of Scotland. So perhaps they have as much to gain by having stronger links across the Irish Sea as we have.

Turning to Merseyside, Liverpool's economic problems are well known, and, indeed, parts of that region have the same objective/status, at least at the moment, as Northern Ireland has. Anything that would revitalise the ports of north-west England would be just as good for that region as it would for Northern Ireland. Indeed, the north-west English region of the Confederation of British Industry (CBI), along with its counterpart in Northern Ireland, are campaigning along those lines.

As Edmund Burke said—and I know that Ulster Unionists who quote him are sometimes upbraided for it, but he was a great Irishman and a great British parliamentarian, the two need not be incompatible—

“England and Ireland may flourish together. The world is large enough for both.”

I am glad that, last October, Bertie Ahern was in Edinburgh opening a Republic of Ireland Consulate. Indeed, there is also one in Cardiff now. I look forward to the day when the normalisation of north/south relations between Northern Ireland and the Republic of Ireland ensures that we also have a Republic of Ireland Consulate in the centre of Belfast.

The British-Irish Council is, in part, visionary; it is, in part, practical. It recognises the strength of human and cultural connections between these islands. The great historian HAL Fisher, in his history of Europe, referred to its peoples as energetic mongrels, and given the behaviour of some Assembly Members, that description seems quite apt. The comment was to do with the extent of ethnic mixing, because there is no such thing as a “pure English race” or a “pure Irish race”. Those who believe there is have often been misguided, and have done terrible deeds on the basis of such ideology.

Such ethnic mixing is supremely so in the case of the peoples who live in the islands of Britain and Ireland in Northern Ireland, the Republic of Ireland, Scotland, Wales and England. The genius of those peoples derives in large part from such human mixing, and the British-Irish Council is the institution in the Belfast Agreement which best reflects that fact. I urge support of this report.

**Mr Farren:** As we all know, today's report brings us to the very critical, penultimate phase of the preparations required of the Assembly, prior to the formation of the Executive, the opening meeting of the North/South Ministerial Council, the transfer of power, the formation of the Civic Forum and the British-Irish Council. Despite the many late nights and the very difficult problems that had to be resolved during the negotiations on each of these matters, the overall result is one in which we can take considerable satisfaction.



Never before has such a level of agreement been reached between parties from the two main traditions in Northern Ireland, and between these parties and the two Governments in exercising ultimate responsibility for political relations in Ireland and Britain. To achieve this stage, signalled by this report, we have all had to travel very difficult paths. For some, the journey has been much more difficult than for others. I commend all those who have accepted the need for the honourable compromises which the Good Friday Agreement, and all that has followed from it, have required. What those parties which have not accepted these compromises have demonstrated, as today's debate and previous ones have so frequently underlined, is that they have no capacity to produce any alternative with the remotest possibility of addressing the divisions in our society.

*12.15 pm*

On the contrary, they persist with a totally negative approach which is more likely to deepen and widen divisions than to provide bridges leading to agreement and reconciliation.

As a result of the compromises and the efforts of all the pro-agreement parties since Good Friday, we have put together a positive and remarkable blueprint for governing relationships in Northern Ireland, between North and South and between the people of Ireland and Britain as a whole. On the basis of that blueprint, we can begin mobilising our political resources to lead and support economic and social development, and, ultimately, genuine reconciliation in our divided community.

The hopes and expectations that were engendered by the Good Friday Agreement have been brought many steps closure to realisation. The opportunity to take responsibility for promoting economic and social reconstruction is at last within our grasp, but, as we all know, the challenges facing us are enormous. Economically, many sectors are showing significant signs of development, but to develop further they need a stable and peaceful political atmosphere. Other sectors continue to experience contraction and decline. In addition, unemployment persists at unacceptable levels, resulting in the marginalisation and poverty that are experienced by many. That sits uncomfortably alongside the affluence of others.

Peace and stability are even more essential if we are to attract inward investment, create new enterprises, provide for those who are affected by decline and contraction and for the unemployed and the marginalised, and for a growing, young labour market.

In taking up all those responsibilities, which are eagerly anticipated by the wider society, many sectors of which will be joining us in this endeavour through their participation in the Civic Forum, we welcome the

report's detail on that Forum and the detail on the British-Irish Council. We anticipate many benefits economically, socially and culturally within the context of the new political relationships that that Council will encourage.

As we audit what has been achieved since Good Friday, we note that decommissioning remains the issue upon which hardly any progress has been recorded. While decommissioning is not a precondition for progress in any other area of the Good Friday Agreement, neither is the rest of the agreement a precondition for progress on decommissioning. I want to see the whole question of decommissioning removed as a matter of controversy and left to the international body, as laid down in the Good Friday Agreement.

**Mr Roche:** Will the Member give way?

**Mr Farren:** I will not give way.

I concur with many Members who have been calling for the matter to be treated in precisely that way, but that can only happen when there is confidence that the process is under way. I recognise that the absence of any report which would clearly signal that the decommissioning body is making progress speaks for itself.

There is nothing for the international body to report, apart from the destruction of some LVF weapons and explosives before Christmas. I trust that Gen de Chastelain and his colleagues will soon have matters of more substance to report on decommissioning.

The exclusively democratic and peaceful means of resolving differences on political issues and the opposition to any use or threat of force by others for any political purpose, to which all pro-agreement parties voluntarily subscribed, can only mean that we continue doing all in our power and influence to rid society of illegally held arms in the possession of paramilitary organisations.

Using whatever power and influence that we have to this end is one of the fundamental tests of our commitment to what the agreement states to be exclusively democratic and peaceful means of resolving differences on political issues. It is a test we must meet as constructively as possible in order to instill the confidence and trust essential if the institutional blueprints before us in today's report are to become the realities for which we all hope.

In the past week there has been talk of where some who are here today believe we will be in 15 years time. I would like to think that by then we will be living in a totally peaceful, much more reconciled, more united and more prosperous society than the one we are living in today. If we are, it will be because we have implemented all aspects of the Good Friday Agreement.



Indeed we will arrive at such a situation only by laying foundations today which are firm, just and equitable; foundations that respect and honour all traditions, and which, above all, are fundamentally informed by democratic and peaceful values.

Mr Presiding Officer and Members of the Assembly, I commend the report and the determination it contains as an essential step towards bringing this about.

**Mr Adams:** A Chathaoirligh, ar dtús, mo bhuíochas leis an Phríomh-Aire agus leis an LeasPhríomh-Aire. B'fhéidir gur cuimhin leat mé ag rá ar an lá a fuair muid an tuarascáil, go raibh a lán rudaí inti nach raibh Sinn Féin sásta leo.

Ach táimid sásta go bhfuil dáta cinnte inti nuair a bhéas David Trimble ag cur moltaí chum tosaigh — *[Interruption]*

**Mr Maskey:** A Chathaoirligh—

**The Initial Presiding Officer:** Order.

**Several Members:** A point of order.

**The Initial Presiding Officer:** I will take a point of order from Ms Morrice, as she was the first person to catch my eye.

**Ms Morrice:** Mr Initial Presiding Officer, there is some commotion in the Galleries to which I would like to draw your attention.

**The Initial Presiding Officer:** I am grateful to you for drawing that to my attention. I am finding it difficult to hear the points of order coming from all areas. Mr McCartney had a point of order, as did Mr Neeson and then Mr Maskey.

**Mr McCartney:** Further to the point of order that has just been made, Mr Initial Presiding Officer. I do not agree at all with the politics of Mr Adams, but I do think he has a right to be heard.

**The Initial Presiding Officer:** That is unquestionably true.

**Mr Maskey:** A Chathaoirligh, you are aware that this matter was raised at a recent meeting. I urge you to declare now that the Gallery be quiet or be cleared. This is totally unsatisfactory. It is your duty to clear the Gallery if people persistently come there to try to disrupt democratically elected Members who are trying to speak on behalf of their constituents. Perhaps you might need assistance to do that.

**The Initial Presiding Officer:** The point the Member raises is absolutely correct, and if there is any further commotion whatsoever from the Gallery I will have no option but to clear the Gallery as a whole. That must be clear to Members. Those who come to the Galleries to observe the proceedings are very welcome

to do so, but if they start making a noise they are attempting to participate in the proceedings, and that is another matter altogether—one that is completely out of order and unacceptable. I hope that that will be taken into account, and if there is any further commotion, the Galleries will be cleared until at least after lunchtime.

I apologise to Mr Adams. I was trying to ensure that I heard the translation of what he was saying. My apologies if I was not sufficiently attentive to the other matter.

**Rev Dr Ian Paisley:** Further to that point of order, Mr Initial Presiding Officer. Will the Chair make it clear that visitors to the House, unless they are accompanied by a Member, cannot walk along the corridors with notebooks writing down the names that are on doors, and opening doors to find out who are in the rooms. I have raised this matter with the authorities, as the Initial Presiding Officer knows, and the next time this happens, the people in their rooms will have no option but to forcibly remove these people from the corridor. Are we being set up by people who roam freely the corridors of the House, taking down names and the numbers of the rooms?

**The Initial Presiding Officer:** The situation in respect of regulations for the conduct of visitors to the building is very clear indeed. There are some public areas, the principal one being the Central Hall. Visitors are permitted into the Central Hall but they cannot go elsewhere, even if they have passes, unless they are accompanied by a passholder. That is very clear. If there are occasions when the regulations are broken, and it ought not to happen, I would be grateful if these were drawn to the attention of the doorkeeping staff and, indeed, to the attention of the Keeper of the House. The regulations are very clear indeed.

**Mr McGrady:** On a point of order, Mr Initial Presiding Officer. If—and I hope that it will not happen—you are called upon to exercise your authority in order to deal with disorder in the public Gallery, will you bear in mind that most of the people who visit the Chamber are exceptionally well behaved. I hope that your remarks and instructions will be directed only towards those who are causing the disruption.

**The Initial Presiding Officer:** I accept entirely what Mr McGrady said. It is rightfully said; it is well said. All visitors have a duty to respect the rules that have been set down and, indeed, which are pointed out to them when they come. It is difficult enough for me to keep order in the Chamber and keep an eye on Members; it is quite impossible for me to sort out matters in respect of visitors in the Gallery. Therefore if there is a commotion I have no option but to clear the Gallery as a whole, though that would be regrettable. I hope what I have said makes the position clear, and that it is not necessary to do so.

**Mr C Wilson:** On a point of order, Mr Initial Presiding Officer. The House should be mindful that in the public Gallery today there are families who have suffered as a direct result of Sinn Féin/IRA violence—people some of whose relatives not only will not be heard from again but cannot ever have their voice heard in the Chamber. It is in that regard that we should question whether a small disruption is so totally out of place.

**The Initial Presiding Officer:** Let me be very clear. One of the purposes of parliamentary procedure is to ensure that no matter how strongly Members feel about issues—and many Members have many reasons to feel very strongly about things that are said or done—their behaviour is kept within the bounds of procedure and proper rules and regulations.

While I have no doubt that many people have reason to feel strongly, particularly about the matters that may be dealt with in a Chamber of this kind, this cannot be an excuse for breaching regulations and rules that are properly set down. They must apply in the Chamber to Members, to the visitors Galleries and, indeed, to the press Gallery.

**Rev Dr Ian Paisley:** Further to that point of order, Mr Initial Presiding Officer. Surely in another place, when an interruption takes place in the Gallery, there is no attempt to clear it. The person who interrupts is taken out by those in charge of the Gallery. I would like you to give us a ruling. Can a Member bring 13 adults and a child into the coffee room that is supposed to be for the use of Members? Is that in order? Is that the way this place works?

**The Initial Presiding Officer:** Let me deal with the first question that you raise. It has been the fact that, on occasion in the past, some visitors in the Gallery have made a noise or other commotion. In some cases it was merely people getting a little excited; in other cases they were conversing rather too loudly with their neighbours. It was not always malign. That matter was pointed out by the doorkeeping staff who attended to it, and everything was fine.

*12.30 pm*

It was also clear—and I sought and received a report on this—that a number of visitors came, not on their own, but in a group with the clear intention of creating a commotion. The doorkeepers made it clear that such behaviour was not acceptable. Unfortunately, when those visitors were leaving, they upbraided the doorkeepers in a thoroughly unpleasant, inappropriate and unacceptable way.

I appreciate what Dr Paisley and Mr McGrady have said—that most visitors have an interest in what is happening in the Chamber and behave properly. Unfortunately, if there are visitors who create

difficulties that the doorkeepers cannot deal with on an individual basis, I must deal with the situation by clearing the Gallery, for it is not possible for me to begin to identify individuals.

In respect of the other matter which Dr Paisley asked me to address, the rules with regard to the coffee lounge and other places are also quite clear. I must beg Members' indulgence. It is hard enough for me to deal with points of order that refer to what happens in the Chamber and in the Gallery, but to make an immediate ruling on a point of order about what happens in the coffee lounge does create some difficulty. The Member has quite rightly raised this matter, and I will ask the Keeper of the House to go to the coffee lounge and deal with the situation as appropriate.

**Mr Adams:** First, will I be permitted to finish my remarks before the lunch break?

**The Initial Presiding Officer:** Yes.

**Mr Adams:** Secondly, I do not mind the noise in the Gallery. It struck me as some sort of strange virus, like DUP flu, for instance, because what was happening in the Gallery was merely an echo of what was happening on the Benches opposite. With all the focus on the Public Gallery, the point was missed that these Gentlemen, and one Lady, have always conducted themselves in this way. At some point, Mr Initial Presiding Officer, you should call them to order.

Bhí mé ag rá, sular cuireadh isteach orm, nach raibh Sinn Féin sásta leis an tuarascáil ach go raibh muid sásta go raibh dáta cinnte inti nuair a bhéas David Trimble ag cur moltaí chun tosaigh.

Tá an lá sin buailte linn inniu agus tá na moltaí romhainn: sin rud maith. Is céim thábhachtach í, agus sílim nuair a bhéas an díospóireacht seo críochnaithe—amárach nó Dia Céadaoine—go gcaithfidh Rialtas na Breataine céim eile a ghlacadh leis na h-institiúidí a bhunú.

When Sinn Féin first received the report about one month ago from the First Minister (Designate) and the Deputy First Minister (Designate)—and I thank them for today's report with its determination—it had a number of reservations, and those reservations stand. Some of my Colleagues will deal with them later in the debate.

We objected, for instance, to the absence of a Department of Equality, a very negative step; to the illogical fracturing of education into separate Departments; to the failure even to mention a junior Ministry with responsibility for children; and to the fact that in December the implementation bodies were diluted during the negotiations. Sinn Féin feels that much less was achieved than should have been.

Sinn Féin also has reservations about the Civic Forum. That was to empower civic society and involve people in a whole range of important issues.

Sinn Féin approaches these reports and this determinations in a strategic way. It wants to see a new society on this island. It wants to see the Union ending. It wants to see—and this is only possible in that context—the aged taken care of, young people given opportunities, agriculture dealt with, and all those who are disadvantaged and oppressed being helped. Only when that happens will the Members opposite be liberated in terms of their sense of who and what they are.

This determination comes at a very important point for Unionism, and I want to address the rest of my remarks to where Unionism is now. The power, the influence and the monopoly on the affairs of this island, which Unionism used to represent, is gone. It is over, done with and gone. Some Unionists know this, and they accept it. Perhaps they even welcome this development. Some do not know, and they are the ones who cry the loudest like empty vessels. They do not know that the old days are over, that the old agenda has failed. In many ways, they are more to be pitied than to be scorned.

Others know this too, and they have great difficulties accepting the consequences of the changes that are coming or accepting their responsibilities for this new era. Or, at an intellectual level, they do accept that changes are needed, but emotionally they have great difficulties. This should be easy for Republicans to understand. They too have experienced a roller coaster of emotional and intellectual turmoil, but from a totally different basis. We want to try to be agents of the changes that are required. We want to try to be part of the transformation that is required if a real and lasting peace with justice is to be established.

Some Unionists may hark back to the old days, the heady memories of Brookeborough and Carson, or even the ghosts of O'Neill and Faulkner. And there is an understandable interest in how the Ulster Unionist Party will vote, and what size the Unionist vote led by Mr Trimble will be. However, that is to miss the point, to miss what we have been trying to do and what we want to do. This is as difficult for the representatives of Sinn Féin and for the wider Republican constituency as it is for Unionists. The point is that no matter what our party political and ideological differences are, no matter the difficulties, the hardship and the grief that we have all come through, the new dispensation under the Good Friday Agreement divides us into pro- and anti-agreement camps.

If he implements the agreement, Mr Trimble, in his capacity as First Minister, has the support of over two thirds of the parties represented here. That is his own

party, the SDLP, Sinn Féin, the Women's Coalition, the Alliance Party and the Progressive Unionist Party. That is the new potential in all of this—not just looking over our shoulders at some fracturing of Unionism. Mr Trimble, as he implements the agreement, must uphold the rights of all citizens and respect the democratic mandate of all parties. There must be no more second-class citizens within this island. On these issues, the pro-agreement parties are in the majority and have a clear mandate from the vast majority of people on this island who are, to a man and woman, on the same side.

It is difficult for me to contemplate being on the same side as the Ulster Unionist Party. It is difficult for them as well, but that is the reality. David Ervine said that it is also difficult for the Loyalist people, and I recognise that. In all of this, we have to look to the future. This is an important day, and this Assembly is going to clearly and decisively vote for this determination and this report. Sinn Féin, despite our reservations, is also going to vote for it. After that there needs to be speedy movement—*[Interruption]*

Bob McCartney is attempting to intimidate the Member behind him.

Since last summer we have been waiting for these institutions to be put into shadow form. We want to see moves made speedily to allow these institutions to assume shadow form, so that power can be transferred from London and Dublin on 10 March.

In response to the remarks made by the First Minister (Designate) and the Deputy First Minister (Designate), I would like to say once again that Sinn Féin remains totally committed to every aspect of the Good Friday Agreement and to restate Sinn Féin's commitment to that agreement.

Of course, this could be a messy debate, given the juvenile, schoolboyish and schoolgirlish antics of those on the Benches opposite. They provide light relief on what could, otherwise, be a boring day. But when the debate is finished, the Assembly will have sent a very clear message to the world that it wants the Good Friday Agreement to be implemented. The onus will then clearly be on the British Secretary of State to trigger the d'Hondt system, so that real power can be transferred from London and Dublin.

Sin é. Sin an méid. Mar a dúirt mé ar dtús, níl muid sásta le achan rud sa tuarascáil seo, ach táimid ag vótáil ar a son.

*The sitting was, by leave, suspended from 12.41 pm until 2.00 pm.*

**Mr Neeson:** I generally support the report from the First and the Deputy First Ministers (Designate). Some Members have complained about a delay in the presentation of the report, and I share these concerns.



The report did not arrive a day late—it arrived about three and a half months too late. While the deadline of 31 October has been missed, I sincerely hope that the deadline for the transfer of powers to the Assembly will be met. I hope that by 10 March the Assembly will be well on its way to assuming the role for which it was formed and Members on their way to assuming the duties which, as elected representatives, they have been tasked to carry out.

There is great expectation in the community at large about the prospects for the Assembly, and for its working for people regardless of their age, religion, gender, ethnic origin or disability. One important thing that could well develop once the Assembly is fully working—and I hope it does—is that more young people in Northern Ireland may be encouraged to become involved in politics. Clearly this morning's events would not encourage that, but on occasions, such as when there have been delegations to Ministers on integrated education and the extension of the natural gas pipeline, the political groups in the Assembly have shown that they can work together on the bread-and-butter issues.

It is up to the Members of the Assembly, collectively and individually, to ensure that we deliver, and deliver on time. Both Governments are working at full steam to ensure that the necessary legislation will be brought forward on time. I commend this, and I hope that developments inside and outside the Assembly will progress in parallel with the efforts of both Governments to ensure that full devolution is delivered.

Since the initial presentation on the restructuring of the Departments was made I have reflected, and I think that there are a number of issues which need to be seriously addressed by those who produced the report. For example, the Education Department is going to be responsible for appointments to education and library boards. Some Assembly Members have already been contacted by the various libraries expressing concern that libraries have been put into the Culture, Arts and Leisure Department.

No doubt this was a balancing act. I have long believed that tourism should have been included within the Department of Culture, Arts and Leisure. I suppose that they have included Libraries in that Department in order to balance things out. That is no way to structure Government Departments. I appeal to those concerned to give further thought to this.

I strongly believe that the Environment and Heritage Service, which is currently in the Department of Environment, should have been included in the Department of Culture, Arts and Leisure because of its responsibility for archaeology and other heritage-related functions. I ask for that to be considered. Also, when

we talk of museums we are talking about galleries as well.

As far as the six areas for co-operation and the implementation bodies are concerned, the Alliance Party would have preferred to have seen more implementation bodies established, even at this time. Clearly this was a point of dispute between the SDLP and the Ulster Unionists when they were working out their deal.

Energy should have been included in the areas for co-operation. As I said earlier, an all-party delegation met with the Minister to discuss the extension of the natural gas pipeline, and this is a clear example of where good North/South co-operation can lead to developments which can benefit people on both sides of the border.

One of the most important functions of the Assembly is to establish the scrutiny committees. Various Members talked about a "stitch-up" between the Ulster Unionists and the SDLP, and I hereby give warning that I do smell a rat. There will be 10 Departments, and I strongly believe that there should be 10 Committees to scrutinise them. Equally, I would like to think that there will be Committees to scrutinise the functions which will be brought to the centre—equality, community relations and the major issue of Europe.

It is in the best interests of the Assembly to have an all-inclusive approach towards the scrutiny of the legislation which will come forward. There are 108 Members in this Assembly, and it is important that every Member be involved in the scrutiny committees. It is important that all Members have ownership of the powers which will be devolved to the Assembly.

Regrettably, the question of decommissioning seems to be the next major obstacle that we have to face. The polls in the 'Belfast Telegraph' clearly showed the public's concern on this issue. We have heard what Bertie Ahern said at the weekend. John Bruton, at the Fine Gael ardfheis, made similar comments, as did most of the political leaders here.

We have got to remember that there are no preconditions in the Good Friday Agreement to entry into an executive. However, we are almost 10 months down the line from when the agreement was reached. There is a strong moral obligation on the paramilitaries, whether Republican or Loyalist, to start actual decommissioning. I realise that it is a difficult issue. The International Commission on Decommissioning was established by the agreement to deal with the question of decommissioning, and it should remain with that body.

I repeat the suggestion I made last week: to ensure a win/win situation, and not a win/lose situation, it is important that David Trimble, the leader of the Ulster



Unionists, and Gerry Adams, the president of Sinn Féin, get round the table together. If that could be facilitated by Gen de Chastelain, there are possibilities there. They have to be explored now if we are to achieve devolution by the 10 March deadline.

As we all know, the DUP amendment is simply a ruse to split the Ulster Unionists. Those who make some of the strongest statements about paramilitary connections should read yesterday's issue of 'Sunday Life' before making any future statements. The determination of the report is important, and I look forward to the full devolution of powers on 10 March.

**Mr R Hutchinson:** The motion represents a further weakening of the Union. For the past 30 years, under the impact of the terror of Ireland's physical force exponents, the balance between Unionists and Nationalists in Ulster has increasingly tilted in favour of the Irish Nationalist agenda.

We in the Northern Ireland Unionist Party will vote against this motion, not because we do not believe in peace but because the people who elected us would have no future in a united Ireland that was achieved by terrorism, ethnic cleansing and political coercion. The Unionist people would have ceased to exist. The evidence of our eyes, the experiences that we have lived through, and the fact that the wonderful and high-flown sentiments to which Nationalist politicians such as those in the SDLP, or, indeed, those in Sinn Féin/IRA who are engaging in the present charm offensive, bear no relationship whatever to the sufferings and abuse that have been inflicted on Unionists in pursuit of the objective of Irish unity.

All those things teach us that the romantic illusion of a united Ireland is undercut by the sordid reality of cruelty, lies and deception. Actions of the most savage and reprehensible kind, about which Irish Nationalists have taken up a stance of collective denial for too many years, have resulted in the Unionist population of Ulster being subjected to a brutal and efficient campaign of terror. Too often we have had to stand at the open graves of murder victims and listen to ministers of religion telling us that the victim had been cut down by a savage act of mindless violence.

Those who said that the violence was mindless were wrong, however well intentioned they may have been. The assertion that the bombings and the killings were mindless, camouflage and conceal the fact that the violence was part of a cold-blooded, callous strategy based on the vicious principle that violence pays and, in the case of Ireland, that unity necessitated its use.

While Irish Republicans pursued their objective by physical force, constitutional Nationalists sought the same objectives by a process of gradualism. The motion represents the triumph of the policy of gradual Irish

unification. In case the Unionists fail to follow through by committing collective suicide, the arsenals and the explosives will be retained. There will be no decommissioning until it is adjudged that the momentum towards Irish unification is irreversible. The violence was never mindless. Even the most devilish and satanic acts, as the media described them, could be subsumed within the overall strategy because such acts terrorised and intimidated people who did not understand the role played by the fanatic in the Irish struggle.

Some weapons that are essential to the maintenance of control over Republican areas are in circulation. The remainder of the terrorist arsenals are stored away. The cynical calculation is that the IRA can get more out of the current situation by political means than by the application of physical force.

*2.15 pm*

For the moment politics is more advantageous to the cause of unification than slaughter but the high priests who served Mother Ireland are ready to begin the ritual of human sacrifice again. Thousands of innocent lives are under threat and could be sacrificed if dark clouds arise to threaten the cult's new dawn.

If the Unionists renege on their commitment to the all-Ireland peace process then the arsenals would be made available to those who have signed up to the physical force tradition. These Republicans understand that the machine that drives forward Irish unification operates on a trigger mechanism.

The SDLP is well aware of the gains that violence has made for Irish unity, but its conscience is clear. Its liturgical condemnations of violence are a matter of public record. The SDLP has to make a choice between a stable society in Northern Ireland in which people who may have acute differences of culture and religion can nevertheless live together as neighbours and its aspiration for a united Ireland. Faced with that choice, the SDLP invariably sacrifices stability now for its dream of a united Ireland. The SDLP is into denial about the extent to which its united Ireland policy contributes to the polarisation in this society.

The Northern Ireland Unionist Party rejects this motion setting up cross-border bodies, not only because they are an extravagant waste of money and make no economic sense but also because the sole rationale behind these functional institutions, which aim at a united Ireland through bureaucratic structures over time, are based on an Irish Nationalist agenda which is dangerously flawed, and has heaped untold misery on Northern Ireland over the last 30 years. The SDLP has put its Nationalist ideology and aspiration before the common good. The SDLP has preferred to tolerate deepening polarisation within Ulster as the necessary

price to be paid for a united Ireland in some distant future.

The Belfast Agreement, which we in the Northern Ireland Unionist Party reject, represents a triumph for the SDLP's gradualist approach to Irish unification.

The SDLP is in effect saying to Sinn Féin/IRA through the Humes-Adams relationship "It is our view that movement towards Irish unity can be advanced through cross-border bodies and the increasing involvement of Dublin in the everyday life of Northern Ireland, rather than by more years of murder and mayhem."

We are clear in our minds and in our analysis, which is why we will reject this motion today. We recognise that the violence of the IRA was never mindless. Note the importance of the statement made in *An t-Oglach*, the official journal of the Irish Republican Army in 1967:

"Our strategy must be the perfect blending of politics and violence (political action and military force) at the most opportune time and under the most favourable circumstances."

Only four years later Robert Moss, in his book 'Urban Guerrillas', was able to set out in outline or overview a more detailed appraisal of the IRA's intentions. In March 1971 the Provisional IRA was claiming, according to Moss, that they had formed a terrorist organisation in Ulster capable of a protracted campaign; that that campaign would lead, firstly, to the fall of the old Stormont Parliament and, secondly, to direct rule from Westminster; that the IRA campaign would divide Ulster into Roman Catholic and Protestant zones; that the IRA would mount a programme of selected assassinations.

Then the IRA forecast that all of this strategy would—to quote Moss—

"clear the way for the unresisting absorption of Ulster into a united Irish republic".

No one can read those strategic predictions without a cold shiver going down the spine. Think of the thousands murdered and injured because cold-hearted, callous, cynical and brutal men deliberately set out to sacrifice victims, lives and limbs in order to unify Ireland.

They fly in the face of the history of this island, which is a history of cultural difference and legitimate political division in spite of all the wickedness to which it has been subjected. Unionist people have demonstrated resilience and perseverance throughout 30 years of terrorism. They will not readily surrender to either physical force or political coercion. Why should they?

In 1986 we got another insight into this cruel and violent strategy which blends physical force and political activism—the Armalite and the ballot box. It was Brendan Clifford who revealed in his writings that he had been an eyewitness to the setting up of the Provisional IRA by what he called respectable people in the Republic of Ireland. He has written, of that period, that the IRA was financed and supported in its initial phase by eminent people in all parts of the Republic.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Mr R Hutchinson:** I tried to convince them that they were mistaken in their estimate of social character of the Ulster Protestants. It is a pity that the Republic's politicians and members of the IRA did not listen at that time.

I challenge those sitting on the SDLP Benches today: reject these men; kick them out of bed; come with those of us who are democrats; help us to create a peaceful state in Northern Ireland; and totally and utterly despise these people who have killed and murdered for years.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Mr Agnew:** There are many in the House and perhaps many outside among the public who will look upon this as a historic day. Either today or tomorrow we will vote on the report that will determine the future government of this our country. Either today or tomorrow we will choose between what some believe is going to be a solution to all our problems and what others believe is a transitional period on a road to a united Ireland.

This report is one that others believe will secure the Union and bring accountable government to Northern Ireland. Others even believe that voting to endorse this report will prevent something even more dictatorial being imposed by London and Dublin.

What we probably will end up voting for—if it is this report that we are going to vote for—is a report cobbled together during another time, the week before Christmas that coincided with the air strikes by the United States of America against Iraq. And that was preceded by the historic elections to this Assembly after the historic referendum result. One could say that living in Northern Ireland today is living through history.

Having been elected by good people who feel alienated and demonised politically by the great and the good in London, Dublin and Washington, I must say that it is a humbling experience to be here today. Warnings that many of us have consistently given regarding the Belfast deal have been ignored, but the fact remains that you cannot square the circle of

democracy with armed, unrepentant murderers in government.

These particular people have a curious mindset. They say that we are wrong and have to change; that they are right and do not have to change; that we should forget about our past while they remember theirs. That is the mindset that we as Unionists have to deal with.

The G7 group pontificated again at the weekend about the Executive and parallel decommissioning. Where have we heard all of this before? Senior politicians who were involved in the “Yes” campaign with an insight into the thinking of paramilitaries tell us again that there is a crisis. What have we all been saying from the very start?

It is inconceivable to think of having representatives of psychopathic, IRA serial killers in government. I remind everyone in the Assembly that any chain is only as strong as its weakest link and that the weakest link in this process is the representation of heavily armed terrorists in this Chamber to whom the Labour Government have pandered and surrendered completely—and we have watched them do that. The total capitulation to these people will have many side effects for decades to come. The rule of law has now degenerated to the rule of farce. Violence has been shown to pay handsomely.

The precedent of an amnesty for future crimes has now been set with the Belfast deal. Who would have thought that after all the massacres and murders no one would serve any significant time in prison? The release on to our streets of some of the most violent men in Europe was degrading in the extreme for the victims of their crimes. I say with a heavy heart that those Unionists who negotiated the Belfast deal leave a dreadful legacy. I do not see what Unionism has achieved from this flawed agreement. Not one practical achievement has benefited the law-abiding Unionist.

Here we sit with the illusion of power, depending on Sinn Féin/IRA to denounce and reject violence. If President Clinton, Tony “O’Blair”—that would be a good name for him, and I suppose that it will be said to be a deliberate mistake—Bertie Ahern and all the other influential opinion makers cannot make Sinn Féin/IRA turn away from violence, what hope is there for an outcome to the pathetic pleadings for a token gesture on decommissioning by some Unionist leaders in the Chamber? Decommissioning is not the only issue. Some of us fought for election to the Assembly on more than the decommissioning issue. We object to people serving in government as of right.

Token gestures are meaningless. Many people have told Sinn Féin/IRA that their Semtex is not defensive and should be handed over. I suspect that there will be no decommissioning, no handing over of Semtex or

other explosives. The illusion will be that everyone in Sinn Féin is doing his best to influence matters. Those Unionists who concluded the Belfast Agreement in 1998 betrayed all the efforts that were made by our gallant security forces over the past 30 years. They also betrayed all of those who lost their lives in the battle against Provisional IRA/Sinn Féin terrorism.

No wonder the victims of terrorism do not rate anywhere in this deal. Those who faithfully supported the Ulster Unionist Party since its formation in Northern Ireland have been betrayed. People have entered into negotiations with armed murderers to secure the release of IRA murderers and bombers. The rule of law has been undermined by agreeing to a virtual amnesty for terrorist crime. The RUC will be destroyed, and those actions have led to the demoralisation of the Unionist people.

Paddy Fox, the dissident Republican recently kidnapped by Sinn Féin/IRA, said

“I do not want to sit with a bag over my head for six hours”.

He was referring to a kidnap attempt. We should realise that nothing has changed. The Sinn Féin/IRA leopard has not changed its spots. The brutal murder of garda Jerry McCabe and the atrocious decision to drop the murder charges shows that in the Republic nothing has changed either. The same judiciary which for 30 years failed the people of Northern Ireland by not extraditing the murderers and escapees to Northern Ireland, has now failed the garda; and the McCabe family.

The shocking and brutal killing of Eamon Collins by the IRA should be a warning about the seriousness of the situation. There is no doubt that at the end of the debate Unionists will vote with Sinn Féin/IRA. It will probably be the third time in 10 months that they have joined together politically against the rest of the Unionist family. I repeat that. I take no pleasure in saying that. There is a danger that the Ulster Unionist Party and Sinn Féin/IRA will be inextricably linked because of this deal.

Is there a modern democracy anywhere where a minority has an equal say in government and where a section of that minority seeks to undermine the very institutions in which they have a very sizeable stake or share? I do not believe there is. These basic reasons, together with the fact that this is a process dependent on concessions to Sinn Féin/IRA terrorism, ensures that I will certainly be joining with those who are opposed to this report.

2.30 pm

**Mr Ervine:** As a well-known “traitor” and “betrayed”, I support the motion. My party has some reservations, some of which were outlined by



Mr Cedric Wilson and, indeed, by the leader of the Alliance Party. The two large parties need to be aware that consultation does not simply mean having a chat and then doing what one wants to do anyway. Cognisance needs to be taken of that.

It is important to look at how far we have come before we consider jettisoning our desire, our vision for the future, to join those who at some point it may be worthwhile considering using parliamentary privilege against. This has been building and building, and I am getting pretty sick of it. I emphasise the word “hypocrites”, and if they want to raise points of order during my speech I am happy that you facilitate them, Mr Initial Presiding Officer.

They need to remember, when they talk about honour, integrity and decency, how many of them had long and meaningful debates with me—when I was a representative not of the Progressive Unionist Party but of the Ulster Volunteer Force—in meetings all over the country and, indeed, in some of their houses. I do not want to do it, nor do I want to give Nationalism or Republicanism a cudgel with which to beat Unionism, but I am not prepared to see the holier-than-thou attitude prevail.

I am neither a traitor nor a betrayer. I have a view that is different to theirs, and I may have reason for it to be different. It may be because of my sense of betrayal, or my sense of people having sent me, assisted me, talked to me, came with me part of the way, and then betrayed me. They washed their hands of people. They shout at Sinn Féin so that their constituency might see it. The cry might be “We beat them to death with DUP manifestos”. Who are they kidding? They talk about the seriousness of what faces this country.

The reality is we have come a long way. The ceasefires may not be perfect, but they are in place. Many make use of television or other media to criticise those who take serious risks, and all of that as the words “traitor” and “betrayer” are ringing in the ears of those with whom they have to work. I ask them to think very carefully about who they describe as being a traitor or betrayer. They should think very carefully when I lay my life on the line, which I am prepared and happy to do—not for the first time, I might add—for my country, and I do so in the belief that we can make a difference. Not that it will stay the same. I do not ever want it to stay the same, and if it were wonderful it would not be good enough—it would have to be better.

I believe and hope that that is the nature of politics. It is supposed to be made better by politicians. The louder the complaining, the more I concentrate on the paramilitary groups, the drug gangs, the house-breaking gangs—all the difficulties in this society, such as the massive number of one-parent families, the near meltdown of the agricultural economy, the situation

where Christians make a virtue of hatred and where politicians have no art, rather than making politics the art of the possible. I wonder if I am alone in wanting it to be different. Am I alone in wanting it to change?

We have come a long, long way. There have been changes, even in the ideology, that people may not have recognised because they cannot see the wood for the trees. For them to identify the shifts or changes or schisms that exist between the ideology and the political reality of Sinn Féin would be an admission that perhaps there is hope, and they would not want there to be hope.

They walk past Carson, under Britannia; they sit in this House talking; they tore up the “green book”, but not many of them took the trouble to read it until recently, when they got elected and got the opportunity to let on that they had read it. They have no concept of the changes that can take place, of the will of the people, the desire of the people to live in peace.

I understand. Contrary to popular opinion, I do not live in “leafy land”; I have one small Housing Executive house, and I live in a solidly Loyalist housing estate. I have not had anybody shouting abuse at me. I wonder why.

**A Member:** I wonder why.

**Mr Ervine:** I wonder why. Could it be that they are all so fearful for the future of society that they are not telling me? They could always hide behind hedges and bushes, but they do not. And that tells me something: they are searching for, lusting after, some kind of better opportunity for the future.

All of us may be frightened. As we are in uncharted waters, why would we not be? No matter what tributary you face in life, the fear of getting it wrong is natural—of course it is—but you will never make anything or do anything unless you examine and explore the opportunities for the future.

That is what we did in Castle Buildings. But there were those who would not even explore the opportunities for the future. Listen to the opportunities for the future and then retreat if you will, but they would not even listen. And they did not listen because the fiefdom might be challenged, the fiefdom that has them shouting and screaming at Sinn Féin only for the television.

What they are really trying to do is upset the Ulster Unionists and turn themselves into the leaders of Unionism. Some of them want to be that; others are “cul-de-sac” politicians. I repeat what I said in October: there are two forms of “cul-de-sac” politicians—those who cannot and will not come out of the “cul-de-sac” and those who live in a “cul-de-sac” and are frightened that somebody is looking through the venetian blinds



and saying “That is the one who let Gerry Adams into government.” That is the fear—the fear for themselves. They cannot be afraid for their children or grandchildren or they would be thinking about the future; they would have vision.

If we do not test Sinn Féin and the Provos, we will never know. We will have consigned this territory that we all profess to love to constant, bitter and brutal feuding until somebody with wisdom comes along and does something different. When the brutality has begun and we have begun to venerate the victims, we will be unable to stop the war. I have heard that from many people here; I have walked behind the coffins; I have had family members killed, and, indeed, there have been attempts on my own life. If all we had done was venerate the victims, how would we have ended the Second World War? How would we have gone on to have relationships with people that fought with my father, for instance? How often has it been said that soldiers fight only to end wars, not to perpetuate them? A battle or a conflagration must end or the value in that conflagration only exists in having it.

There is a genuine opportunity to begin to use the process that we put together in Castle Buildings to deliver—to deliver the end of punishment beatings, to deliver decommissioning, to deliver accountable democracy, to deliver all of the things that every constituency signed up to, or it is not worth the paper it is written on.

But it is about more than that; it is about healing relationships, not only the fractured relationships between the North and the South and between east and west, but also the fractured relationships that have borders at the end of every street in some constituencies.

All that has to be begun, and if we cannot or are not prepared to set an example but are prepared only to chide and cough and play games, we will not get off first base.

Those with large egos who defecate from a great height will undoubtedly tell us that vision which is not founded in their sense of democracy is not vision at all. If our troubles were a couple of days old, we could begin the process of putting the rights wrong. We could say that one thing happened as a reaction to another and attempt to put it right and seek apologies. But we have had 30 years of this, and if we play the game of constantly harking back—today we were as far back as 1967—there will be no future, and those who advocated no and who want collapse at every turn have their part to play.

**Ms McWilliams:** On the way here this morning I passed Stormont Presbyterian Church, which I think has been sending us subconscious messages over the past

few months as we drive to the Assembly. This morning the message said “God give me patience ... but hurry”. That message is truly meant for Members. We have waited long enough for this debate, and it is time that we made a determination to set up the Government Departments, the North/South bodies, the bodies for agreements between these islands, the British-Irish Council and the Civic Forum.

It is time that we gave the people of Northern Ireland some encouragement by doing what they said they wanted us to do in the referendum. The process has become stagnant. We are in a vacuum, and every time that happens it is the most vulnerable time in our society. The people who live at the interfaces of our communities face the outcome of that vacuum. Day by day, they are terrified that we will not reach a decision that will eventually bring peace to Northern Ireland.

We have that responsibility, and it is time that we implemented the agreement and moved to this next phase. It is the next step. Members have said that this is an important day. I hope that as we cast our votes in favour of accepting the report we realise the importance of moving to the next stage. We still have irreconcilable differences that are repeated over and over again in the media, which concentrate only on the fears of politicians, and leave no time for what David Ervine has rightly called space for hope.

If that is all that we are sending out, day by day, it is little wonder that people are saying that if the referendum on the agreement was to be rerun, they might be tempted to vote no. All that we have fed them is a diet of what people are against. I know from life and from working on committees and organisations and in education, that it is easy to be against and much more difficult to be for.

Rev Ian Paisley spoke about the floodwaters that are running, but it is much better to irrigate land than to see it in a drought. The Member for the United Unionist Assembly Party asked the Ulster Unionists about their legacy, which he said would be dreadful. My view is that it is the only one. It is the legacy of consensus and of agreement, the promise that we will never again do to each other what was done in this country over the past 30 years. That is the legacy which I promise my children and their children, and the children of all those in the Chamber. That is the only way forward.

I want decommissioning—not because it is being forced, but because it is the honourable thing to do when we move out of war and towards peace. It is the only thing to do. However, the agreement speaks to other forms of arms being taken out of this country. I read over the weekend that absolutely nothing will be done about firearms regulations or small arms. I want all arms, large and small, the arms that kill people, to be controlled. The only arms I want are those that I use to

write. It is time for reality to set in and for us to agree that that is the only way forward.

1.pm

We must set up that Executive. I support the G7 group. All Members may not agree with them, but at least they have put forward suggestions—for example, rather than just saying “leave them to do it”, they have suggested that there be decommissioning at the same time as the setting up of an Executive. It is one suggestion among many, and who are we to say that they should not make those suggestions?

We have a great deal of concern about some of the issues in this report, but in the spirit of compromise and consensus we are agreed that this is the report that is going to stand up.

Yes, I agree with the Rev Dr Ian Paisley that there may be room for more victims’ organisations to be represented on the Civic Forum. Many people have been affected by the troubles, and it is my belief that many of them will be represented on the Forum. However, if victims are going to get lost in the Office of the First Minister (Designate) and Deputy First Minister (Designate), then I have serious concerns.

At present, victims come under Adam Ingram’s portfolio. I want to make it clear that the Assembly is going to take this issue seriously. The concern of the victims’ organisations that I have spoken to is not that all of them should be represented on the Civic Forum but that they will be able to secure core funding for the future. The ones that I have visited are simply spending project money, and when that runs out they are finished. As we move from conflict into peace these organisations start to come forward as the frozen watchfulness that they had during the years of conflict begins to melt. Assembly Members should ensure that they get the resources they deserve.

**Mr A Maginness:** Does the Member agree that Dr Paisley and his party should have raised their concerns during the Civic Forum discussions rather than boycotting them?

**Ms McWilliams:** I agree. In fact, I note that in the DUP amendment—

**Rev Dr Ian Paisley:** On a point of order, Mr Initial Presiding Officer. Is it in order for a Member to mislead the House? The DUP met Mr Mallon—one of Mr Maginness’s bosses—and Mr Trimble and discussed the matter fully. We also left them a paper on it. Now Mr Maginness is trying to malign the party by saying that it should have raised its concerns during the Civic Forum discussions.

**Ms McWilliams:** Let me address this very issue. The amendment makes a humorous point when it says

that the Civic Forum should be “merely consultative”. One consults and addresses issues—one does not merely consult. I noted that Peter Robinson, the Member for East Belfast, said that he drew up this amendment rather quickly. The wording does indeed suggest that it was drawn up very quickly as it also contains the words “properly appointing”.

The Civic Forum will not be appointing anyone. It will set up sectors, sub-sectors and, if required, sub-sub-sectors to bring people into the Civic Forum, from grass roots community activists to the top people in consortiums. I do not know if a person can be improperly appointed, but putting the word “properly” in front of appointed leaves a great deal of room. I hope that Mr Robinson’s party will address this wording when it discusses the Civic Forum.

The amendment also says “merely consultative”. Many of Mr Robinson’s Colleagues and others have argued for serious consultation. Given the response to the Member for North Belfast it would appear that these Members were consulted about the Civic Forum and responded to the consultation by putting forward a paper. Consultation should not have the word “merely” in front of it. Consultation is a serious matter and one should take on board the points that are made as a result of it. The adjectives put in the amendment have done a great disservice to the Democratic Unionist Party. Perhaps it now recognises that the Civic Forum will be established and will encourage members of civic society to put their names forward.

I am also concerned that women’s issues, which are to be in the First and Deputy First Ministers’ office, will be buried there. Looking at the list that is attached to that office, one begins to ask seriously how any two people will ever be able to do the work that is spelled out in that report. I hope that if junior Ministers are to be appointed—and we still have had no serious consultation on that issue—a number of them will be given these responsibilities to take forward.

Let me address the issue of the Civic Forum. It is a good day for the Women’s Coalition. We were the party responsible for putting this forward as an idea in the negotiations. It is true that we almost lost it; there were brackets around the Civic Forum, but we negotiated like everybody else and compromised on its final drafting. But it is there, to our great delight.

Civic society has been strengthened over the years by the number of people who were prepared to get out and become the doers and not just the talkers. It is that strength between and within communities that I would like to address. It is an inclusive body. It will address not just the issues of Nationalism and Unionism but the strengths across all sectors, and most particularly in the community and voluntary sector.

**Mr McCartney:** Contrary to what Monica McWilliams has said, it is not easy to be against purse and patronage of two Governments plus the United States, or against UTV and the BBC, to say nothing of 'The Irish News', the 'Belfast Telegraph' and the 'News Letter', all of whom weighed in very heavily in favour of the matters that Monica McWilliams supports.

The only definitive statement of the Government's policy strategy for Northern Ireland is entitled 'Towards a United Ireland'. The present Secretary of State was the co-author of that document, which contains all the essential elements of the Belfast Agreement. Yet Unionists, by giving cross-community support to this determination, will be putting their future and that of the Union in her pro-Nationalist hands. By approving this determination, Unionists will, in effect, throw away the one element of positive control over the process that they can now exercise. They will have placed themselves and the Union at the mercy of a Secretary of State who is totally unsympathetic to their interests.

Once this determination is approved, the Secretary of State can, by Standing Order, put the d'Hondt formula into operation when she chooses. When she does, Sinn Féin will be entitled, as of right, to its appointed places in government, first in shadow and then in substantive form. Over that situation, pro-Union parties will no longer have any control whatever. Such trust in the Minister, in the wake of a string of broken pledges, indicates a faith and a child-like trust that beggars belief.

With the control of the timing of the d'Hondt operation, the Government will have space to arrange the final and fatal fudge on decommissioning. Gen de Chastelain is now claimed by Dr Mowlam and Messrs Hume and Mallon to have a pivotal role on this issue. That is a false claim, and it was reiterated today by Mr Farren. Gen de Chastelain is charged under the agreement merely with monitoring, reviewing and verifying progress on decommissioning.

Mr Farren should read the agreement. The fudge or fig leaf will require a new and unauthorised political role for the general. He will be pressurised to provide a programme for decommissioning commencing at some time after Sinn Féin has been seated. Unionists will be fobbed off with a promise of a review if Sinn Féin/IRA do not meet the required timetable. This arrangement has already been kited by such as Dr Maurice Hayes in yesterday's 'Sunday Independent', and the ground is being prepared by Sir George Quigley and others of G7. The scheme would be worthless because there is no hope of the IRA decommissioning anything, and certainly not before the RUC has been demoralised and disarmed.

Many informed people consider that the Government, under the guise of implementing

measures appropriate to and compatible with a normal peaceful society, are preparing to remove all personal security weapons from those to whom they have been issued as a protection against terrorist attack.

This is designed to meet the IRA's requirement for what it calls demilitarisation. The Government will suggest it as a trade-off for decommissioning, and the Minister of State, Mr Adam Ingram, will tell Mr Trimble and Mr Ken Maginnis that he does not usually discuss the detail of such matters with the Opposition. Informed people realise that the Government, after each concession, such as the continuing prisoner releases, will tell us that we have no alternative, as failure to accede to each new demand from the terrorists would bring the entire process to an end and send the IRA back to war.

In the past, the IRA threatened us with violence if we did not do what it wanted. Now the Government threaten us with violence by proxy. The reason is that there is no sacrifice that Unionists will not be asked to make in order to protect the lives of the first-class citizens and the economic targets on the mainland.

Are we so naïve, so trusting and so blind that we do not realise that once Sinn Féin has taken its seats in government, it will never be put out as long as there is a threat of a renewal of terrorism on the mainland? This process has always been driven, and will continue to be driven, inexorably by terror and by the threat of terror until Sinn Féin/IRA achieves its political objectives. Those who think otherwise are living in cloud-cuckoo-land. The Ulster Unionist Party has said that it will refuse its seats in government if Sinn Féin takes its seats without decommissioning. This could only be compared to the defenders of a city throwing their weapons over the walls to the besiegers before announcing that, if the besiegers did not go away, they would march out and abandon the city to them.

The Assembly and any devolved government that it may produce under the terms of the Belfast Agreement are poor enough instruments for defending the Union, but they may turn out to be as much as we are ever likely to get in terms of local democracy. However, to throw it all away now, after giving everything else away and discarding all one's cards, would be to commit political suicide. Unionists should realise that the tide of democratic opinion—here, in Britain and especially in the Republic of Ireland—has turned in their favour. There is an increasing awareness that without decommissioning democracy is dead and that no institution of government worthy of the description "democratic" can exist and, at the same time, include a minority that attempts to determine policy by using the threat of violence from a private army.



The case for excluding Sinn Féin from government until the IRA decommissions has never been stronger. Now is the time to take advantage of that growth in public support and to refuse to approve this determination until such time as substantial decommissioning has begun. One way of dealing with this problem, so far as the Ulster Unionists are concerned, is to vote for the first motion—the one on the report—put it on the table and say “that is what we voted for and what we are willing to agree”, but to withhold support from the second motion, which would transform acceptance of the report into a determination that would enable the Secretary of State to use the d’Hondt system whenever she wished.

Thus the Ulster Unionist Party would have fulfilled all its commitments. It would be able to say that it had agreed to the bodies, to the Ministries and to the functions contained in the report while, at the same time, saying that it refused to vote for the determination until such time as substantial decommissioning had begun and had been carried out. Thus the Ulster Unionist Party could disarm its critics: it could not be accused of not being constructive, and it could not be accused of placing obstacles in the way of progress.

*3.00 pm*

A clear marker would have been put down: there cannot be a determination until Sinn Féin/IRA shows its determination to enter fully and properly into the democratic process.

I say this to Members: “Do not place your future, the future of your children and that of the Union in the hands of this particular Secretary of State, but declare that without decommissioning there will be no determination.” Such a decision is the last card within their control, and now is the time for the Ulster Unionist Party to play it. Without decommissioning, democracy is indeed dead, and the approval of this determination will enable the Government, and their allies, to pressurise the Unionist parties into Government without a single gun or a single ounce of Semtex ever being decommissioned. Members are simply storing up further pressure for the day when they will have to make a decision on whether they remain in an executive or go. I ask them, I implore them, to vote against the motion approving the determination.

**Mr Foster:** The Ulster Unionist position is quite clear: we will not be sitting in ministerial positions unless there is decommissioning. That is an absolute, and there is no getting away from it. I support this motion. I support my party leader, and I compliment him on his conviction, his bravery and his knowledge in this matter.

Reference has been made to the Civic Forum. I want Members to know that the DUP and Sinn Féin are very much agreed on the Civic Forum and on other issues—in case people have the wrong impression. Earlier, Mr Peter Robinson, in his nauseating, sanctimonious way, referred to a denial of freedom of speech. I wonder what he has to say about the attempt to deny freedom of speech in Fivemiletown a fortnight ago tonight, when there were despicable scenes aimed at stopping Unionist folk from going to a party meeting. I was kicked, jostled and subjected to taunts, scorn and gibing—that is what the DUP calls free speech.

I want this state to prosper, but it can only be built upon foundations of a moral character. Such character is the principal element of its strength and the only guarantee of its permanence and prosperity. I do not want Government by stampede—not by any means. The situation must be appropriate, and at present it is not. The politicians of our time could be characterised by their vain attempts to change the world and by their inability to change themselves. Evidence of that manifests itself in the Assembly today.

This Assembly would almost be ready to begin to govern Northern Ireland, within the United Kingdom of Great Britain and Northern Ireland, but for one big, vital issue—decommissioning. Republicanism has reneged on the Belfast Agreement; it has failed to deliver on getting rid of arms and explosives; it has not honoured the agreement. Therein is the denial of democracy, and Sinn Féin—the front for terrorism—has failed, and failed miserably. I question whether it has ever really tried.

The Assembly cannot govern with credibility if political parties, from wherever, ignore the fact that there are weapons of war and destruction out there in the undergrowth. The potential for another Omagh, another Enniskillen and all the other dastardly acts of evil is still very real. If there is honesty, if there is integrity, let it show itself now.

The use of the words “inextricably linked to the IRA” is, in my opinion, wrong because it suggests that Sinn Féin is different from the IRA. One has to ask “Is it?” How often have Members of this Assembly, and others, been seen at the funerals of terrorists? Did not Mr Gerry Adams act as pall-bearer at the funeral of the Shankill bomber who, just two days before, had murdered eight people in that dastardly act of aggression? Did not Mr Francie Molloy state “We can go back to what we do best”? Was that a threat or an act of bravado to a receptive audience?

Are the leader of Sinn Féin and his associates not fooling some? Are they bluffing terrorist associates, or are they bluffing society? It seems they want to be part of both. They cannot be.



The IRA/Sinn Féin group must prove itself to society and not vice versa. They can make or break the benefits we seek from government in Northern Ireland. Do we wish to accept that they, without any sign of conscience, compassion or concern, once again associate themselves with those who have bloodied this land by their acts of terror? They expect this Assembly to ignore the fact that loved ones, dear ones, were torn to shreds. There have been broken hearts and broken limbs, and families have been scarred for the rest of their lives by base deeds. Decommissioning would be an act of trust, an act of faith and an earnest of an intent never again to sink to the depths of the past 30 years of evil. We are not getting that action or trust.

Not only the Ulster Unionist Party should be emphasising this requirement of the IRA and Sinn Féin. Every party should seek it rather than evade it or turn a blind eye to the IRA/Sinn Féin movement, which can wreck the Assembly.

If IRA/Sinn Féin fails to deliver, the rest of us should agree, without any compunction, to go on without them. They will then have debarred themselves, and the world should be made fully aware of their deceit. It was destruction physically over the years, and now it is destruction politically by using democracy to deny and destroy democracy. Mrs Mary Harney, the TD in the South, has stated

“There is no distinction between the IRA’s political wing, Sinn Féin and the IRA, and now is the time for them to decommission.”

‘The Irish News’ recently referred to attacks on people in Nationalist areas of Belfast. Of the appalling death of Mr Andrew Kearney it says

“All the attacks were plainly in breach of both the IRA ceasefire and the Good Friday Agreement. They state these punishment attacks must be brought to an immediate end yet Sinn Féin still continues to seek Executive positions.”

Sinn Féin and the IRA are holding this country to ransom. They inhibit progress and stifle trust, and for more than 30 years they have denied people the benefits of good citizenship. The whole world must now be made aware of the deceit and falsehood of Sinn Féin. If there were decommissioning, a Government would be in action here. That is as plain as day. They should move out of the darkness of evil into the light of democracy. We seek that, but Sinn Féin deny it to the people. It and any other terrorist-associated grouping cannot be allowed or excused such base behaviour.

The Ulster Unionist Party wishes to set up the institutions that are envisaged in the agreement. We need to tackle the mass of urgent social and economic issues. Action on those is vital to the future welfare of our people.

I close with a sentence that Members should ponder. Show me the person who does not want his gun

registered, and I will show you a person who should not have a gun.

**Ms Hanna:** I wish to speak in support of section 5 of the report relating to the consultative Civic Forum. I was the SDLP representative on the study group, and I should like to thank the representatives of the other five parties for their commitment towards producing that report. No party got everything it wanted, but the proposals in Section 5 are an acceptable compromise.

I regret that two parties, the Democratic Unionist Party and the then United Kingdom Unionist Party excluded themselves from the study group. The proposals for a consultative Civic Forum are an indispensable and integral part of the Good Friday Agreement. The SDLP is committed to implementing all aspects of the agreement. We made many specific proposals, some of which are incorporated in Section 5 and some of which are not.

The overall principle, which I am glad to see is implicitly acknowledged, is that the Assembly is free-standing. There are several forms of democracy, the most important of which is representative democracy whereby the electorate choose a relatively small number of people to take decisions on their behalf. By the standards of western democracy, we have a high rate of electoral participation. About 70% of the electorate voted in the Assembly election. That is comparable to the turnout in a general election.

That is certainly a lot higher than in the US Congressional elections of last October where the turnout was 33%. The Civic Forum can broaden and deepen the political and public process by bringing a rich diversity of viewpoints to discussion about matters of public policy. Indeed, it could foster a healthy and creative relationship with the Assembly.

Another principle held by the SDLP is that the Civic Forum must be as broadly based and inclusive as possible. Representation and selection are vital issues, and we want the net to be cast as widely as possible in order to allow the broadest possible representation. People will be nominated by various bodies, and they will, I believe and hope, not only have the confidence of their nominating bodies but the breadth of vision to empathise with the broader needs of society, as well. The process of selection must be gender-proofed, ensure an equitable geographic spread and be broadly balanced. We do not just want to see the great and the good, who, in fairness, have contributed a lot to our society over the past 30 years. We now have an opportunity to include the marginalised and some fresh faces.

The make-up of the Civic Forum is not set in stone. The SDLP would have preferred, for example, that the Chairperson be selected from within the Civic Forum’s

membership rather than an appointee. Also, there are groups that are not mentioned in the report who should have the right to nominate people, such as the Credit Unions. The fact that a group's name is not mentioned does not preclude it from making negotiations.

The Civic Forum must be effective and it must start working as soon as possible on a number of subjects, such as social exclusion, long-term unemployment, selection in education, sectarianism in our society and civics education in our schools. Discussion of these thorny and endemic problems in the Civic Forum would allow a consensus on the way forward to build up before an issue made its way on to the Floor of the Assembly.

The Civic Forum will not necessarily depoliticise these problems, but it could ensure more rational and informed discussion among the parties. Democracy in all its forms has had a difficult time here for generations. It has been tested almost to the point of destruction by those who have resorted to violence. We have been given the chance for a new beginning. The proposals for a Civic Forum give us a chance to underpin our new start for democracy, and I hope to God that we do not waste that chance. If we do, what are the alternatives?

On behalf of the SDLP, I support this report.

**Mr M McGuinness:** Go raibh maith agat, Initial Presiding Officer.

I, along with my colleagues in Sinn Féin, will be supporting this report by David Trimble and Seamus Mallon. We have expressed, through our party Leader, our reservations about the report and about the way in which it was brought together. That said, this is an important day, and when the vote is taken to determine this report, that vote will be crucial, particularly for those people who voted in the referendum.

If things go according to plan, there is no reason for the shadow executive's not being appointed in two weeks' time after the triggering of the d'Hondt mechanism by Mo Mowlam and by yourself, Mr Initial Presiding Officer. There is no reason for devolution's not being triggered on 10 March by the British and Irish Governments—no reason at all in this wide world. Yet we continually hear a reason for this not taking place. We are hearing a grievous re-interpretation of this issue all the time, particularly from the DUP Benches and, somewhat more disappointingly, from the Ulster Unionist Benches.

3.15 pm

Sinn Féin has been working at the peace process for the greater part of this decade. I know that many people do not like it and find it very difficult to face up to it.

We have worked hard, assiduously even, and we have worked with people like John Hume and Albert Reynolds. Over the course of that period we have built up a relationship with people like Tony Blair, Bertie Ahern, Albert Reynolds and with the President of the United States. All of them have stated, time and time again, that they believe in the Sinn Féin leadership, that they believe we are serious about this process and that they believe that we can be trusted to press forward with a process which is designed to end conflict, to bring about justice, to bring about equality and to bring about a peaceful future for ourselves, our families and our children. For us that is what the process is all about.

We hear Unionist representatives saying that they are for decommissioning but that perhaps Sinn Féin is not. Some go further and say that Sinn Féin is opposed to it. All our efforts over the greater part of this decade, I contend, have shown—and we have proved this to the highest people in the highest places in this world—that we, as well as wanting to bring about an end to conflict, injustice, inequality, discrimination and domination, want to bring about the removal of all guns from Irish politics. It is not true for people to say that the Ulster Unionists and Sinn Féin are generally divided on this issue. The difficulty comes when the Unionists wrongly, as David Trimble admitted in a recent debate in this House, interpret the Good Friday Agreement as stating that there is a precondition to Sinn Féin's participation in an executive. There is not, and we all know it.

What did the Good Friday Agreement do about this issue? It made decommissioning or the removal of weapons from Irish politics the responsibility of us all, at least of all those who signed up to that agreement. It is the responsibility of us all. We in Sinn Féin are not going to take on our shoulders sole responsibility for resolving this issue. I think that both Governments are listening to the argument that the key phrase in the agreement is that responsibility for this lies with all the participants. I have met Gen de Chastelain on many occasions. I was glad to see many of the other parties going to meet him last week because up until then I had met with the general more than the other parties put together. I have told Gen de Chastelain that there is a responsibility to be shared and that Sinn Féin is not going to accept responsibility for this alone.

The Ulster Unionists talk about decommissioning as if its taking place is proof of a party's or parties' commitment to peace and democracy. It is no such thing. It does not prove that at all, and the LVF's decommissioning clearly shows that. I know that this is a difficult process for Unionists, but it is also a difficult process for Republicans.

One of the big difficulties, even the great sadness, of this process has been the lack of connection between the Ulster Unionist Party and Sinn Féin. I do not know

Roy Beggs Jnr; I do not know Pauline Armitage; I do not know Peter Weir. They never gave me the chance to get to know them. That is their right, but is it how a peace process should work? Most people in the international community would be shocked to know that if I were to meet David Trimble walking along a corridor here today he would not even say "Hello". Is that how a peace process should work?

Over the weekend I spoke on the telephone to a very senior businessman who is a Unionist and a supporter of the Ulster Unionist Party. He told me that he was shocked to discover that the last time David Trimble met with Gerry Adams was 18 December of last year—two months ago. Is that how a peace process should work? I think not.

There needs to be a real engagement between the Ulster Unionist Party and ourselves. They have hurts. They see us as people with a lot of baggage. I understand all of that. We have hurt them, but they must also look at it from our perspective. The people that we represent have been hurt. They were hurt at "bloody Sunday"; they were hurt by the introduction of internment; they were hurt by gerrymandering; they were hurt by discrimination; they were hurt by the killing of Pat Finucane; they were hurt by the fact that we can now prove that elements within British military intelligence, involved with Loyalist death squads, have been involved in the killing of our people—probably by the hundred, the Pat Finucane case being only the tip of the iceberg.

Stephen Leach, one of the architects of decommissioning, has been in the United States in the last two weeks, and he told people he met that Sinn Féin would not get positions on an Executive unless—these are his exact words—

"There is an actual surrender of weapons by the IRA."

This is Stephen Leach, the man who thought up this issue and gave it to John Major in order to prevent negotiations taking place. If John Major had won the 1997 general election none of us would have been standing here today. We are now facing a situation where the Ulster Unionist Party is threatening to use this issue against Sinn Féin's participation in the Executive, using the same veto. I hope the British Prime Minister does not allow that to happen, because behind all of this, ongoing attacks are still taking place by the Orange Volunteers and the Red Hand Defenders.

I have here a component part of a hand grenade which was thrown in my constituency in recent weeks. I believe it is one of those hand grenades imported into the North of Ireland in the last 10 years by Brian Nelson with the assistance of British military intelligence. These were the weapons that were divided between the UVF, the UDA and the Ulster Resistance. We heard

"Peter the Great (the Clontibret raider)" and the "Grand Old Duke of Paisley"—who climbed up many a hillside—claiming this morning that they had absolutely nothing to do with all of this.

**The Initial Presiding Officer:** I must ask you to bring your remarks to a close.

**Mr M McGuinness:** The point I am making is that the agreement is clear. In the next four weeks there will be a shadow Executive, and if there is any justice whatsoever in this process, we will on 10 March see a full-blown Executive with Sinn Féin Ministers in it.

**Mr Campbell:** Mr Initial Presiding Officer, the security implications of the device brought in to the Chamber will not have escaped your notice. I am sure you will investigate that.

I wish to commence with a brief reference to the consultative Civic Forum and the intention to have the same.

Reference was made to what might be described as our inactivity in coming forward with proposals regarding the Civic Forum, and there are those who would like to try to denigrate our position in relation to that by saying that we are totally and utterly opposed to the formation of a Civic Forum. They obviously have not read the amendment. We would not have had and do not have today any difficulty whatsoever in putting forward constructive proposals for that forum, but we are not going to sit down with the representatives of armed terror, be they called Sinn Féin/IRA or IRA/Sinn Féin—and I know there is a feeling out there in the community about which they should be called. We will not be participating in that sense.

**Mr A Maginness:** Does the Member agree that the DUP boycotted the study group that was concerned with detailed proposals for the Civic Forum and that the DUP, by so boycotting, was not in a position to address the issues which it purports to address in the Chamber today?

**Mr Campbell:** I do not know whether Mr Maginness is as conversant with ordinary English as he was with the French-English of a recent television programme, but we made a full, written submission about the Civic Forum, and we discussed it in bilaterals. How he can take from that, total opposition on our part to the Civic Forum is something that I cannot understand, but I will leave it for others to work out.

The Civic Forum is to be composed in a particular way, and others have outlined the problem—indeed, the many problems—arising from allocating so many positions to the voluntary and community groups, and from allowing the First and Deputy First Ministers to appoint six people and so on. There is no place for any



formal local government involvement, yet that could have been considered.

Round-table consultations with six of the Assembly parties established this report, but there is no reference to the fact that consultations are supposed to take place on a whole range of matters. Two weeks ago we were having a serious debate here.

Mr Interim Presiding Officer, you were absent because of the subject matter of that debate. There were those—and they are to be found in almost all the groups that are mentioned under paragraph 5(1)—who opposed my party's motion of no confidence in you, thereby implying they had every confidence in you. Yet today we are told that consultations have been going on for a number of days and that it would not be expedient to proceed. We will deal with that in the coming days and the sleaze that goes on behind closed doors will no doubt be revealed.

The more substantial part of my comments relates to what will undoubtedly be established, and that is the Executive. We could dwell on, as I know some people have, promises made. I could refer to advertisements at the time of the referendum, to assurances given, and to adverts that cost tens of thousands of pounds, and I could well cause some embarrassment if I were to do that. There were Ulster Unionist voices that said "Yes for the Union." I could cause acute embarrassment, but I do not know that that would do any good.

I do not know that that would bring us any further forward because my feeling is that, for the large part, minds have been made up; and people are prepared to live with the consequences of their actions. That is the feeling that I get. We are undertaking a debate today which will result in a vote that will lead to the setting up of a Government: a 10-person Executive, two members of which—and that is one fifth of the Government—are inextricably linked to a terror machine. Whether they are called Sinn Féin/IRA or IRA/Sinn Féin I care not.

3.30 pm

They will be part and parcel of the Executive that will come about because some token action will occur which will allow the Executive to be formed while allowing Mr Trimble to say that decommissioning has started. Whether it is Gen de Chastelain or Mo Mowlam in conjunction with Bertie Ahern, a token gesture will be made, and the Executive will be formed.

My main question is this: what then for Unionism? What do we do then? I have taken it as read that the vote will be carried today. From all the speeches and contributions I detect no feeling of regret. In spite of all that has happened and all the shifts that we have detected in opinion polls—even last week, when the Unionist's

community's views were seen to harden—there are still those who are determined, for whatever reason, to press ahead. The self-destruct button must be pressed, and they are determined to do it.

After this vote, and for the foreseeable future, there will be three elements of Unionism. First, the defeatist section of Unionism, who, for whatever reason, has decided that it cannot change anything, that the combination of Sinn Féin/IRA, the SDLP, the British Government, the Irish Government, the Irish Americans and the European Union cannot be defeated. People in that section have thrown in the towel and said "Let's make the best of it." That is the defeatist element of Unionism. They have cut their cloth, and there is no going back after this vote. I am not throwing my lot in with them, nor will I ever do so.

The second element of Unionism contains the quitters or those who opt out. I sympathise with some of them because, understandably, they feel that they can no longer participate in politics. They have decided that they are going to quit political involvement or they have already quit, and we see that from the lower turnout from Unionist communities in the east of the Province. I am not in the lobby of those who have decided that there is no point in getting involved because the process is going ahead.

The third element contains those of us who are realists. We know what is going on. We see the reality of what is happening, and we have determined to do something about it, irrespective of our party label—whether we be DUP, Ulster Unionist, UK Unionist, United Unionist, Northern Ireland Unionist, or part of the mass of Unionists who simply see the realpolitik in this building and outside and want a change. They have said "We do not like what we see. We do not want the status quo."

I have said here many times and outside the Chamber a thousand times that we do not want the status quo. Why? Because the status quo has brought us to where we are today. We want a dynamic, determined, confident, assertive Unionism, whatever its label, whatever party we belong to. We want that to enable us to bring about change for our people and for the Nationalist community so that together we can go towards the future and put the past behind us.

**Mr Weir:** I rise today not with any sense of pleasure but with a very heavy heart. When looking at this report and the two motions that flow from it, I am reminded very much of the proverbial curate's egg.

I will turn briefly to the part of the report which I find quite reasonable. If we are to put up with the necessary nonsense of a Civic Forum, the proposals are quite reasonable, though not ideal. Therefore, I have no



reason to object to item 4 on the Order Paper and will be supporting it.

However, anyone who knows about the substance of a curate's egg, knows that it has good parts and bad parts. The whole point of a curate's egg is that the bad parts make the whole egg rotten—which brings me to the business motion. I will be opposing that motion today and supporting the DUP amendment. I will be doing so because I believe that it is a dangerous motion—and I am not referring here to the number of Government Departments, though my preference would be for six or seven Departments only.

There are criticisms that can be levelled at the make-up of those Departments that have been suggested. They may not create the best administrative system for Northern Ireland, but in themselves they are not dangerous to our relationship with the Union. What is profoundly dangerous in passing this motion and in making the determination today is that it will place Sinn Féin/IRA closer to the heart of Government and remove one of the most vital barriers between it and executive power.

In days of yore in ancient Rome, the great fear of the citizens was that the citadel would be invaded from outside by barbarians. The phrase often used was that the barbarians “rapped the gate”. Today we find ourselves defending the citadel of democracy in a not dissimilar position. I will not compare any of the parties opposite to barbarians, because, given some of the vicious things that have gone on in Northern Ireland, to do so would be to insult barbarians. *[Interruption]*

Nevertheless, in defending the citadel of democracy at this vital moment the effect of passing the determination will be to remove the guard that is there for the Assembly. Take it away, and you put at the gate, as the barrier between Sinn Féin's getting into government and its being kept out, the Secretary of State. She will be the guardian, and I do not have faith in her to defend our democracy. The only remaining option for citizens faced with being overrun by barbarians is to destroy the citadel itself—and that is not a good strategy for Unionists.

I do not, here today, question the sincerity of my Colleagues who will presumably vote in favour of this. I do not question either their integrity or their motives—I know that they are of the highest level. What I do question is their judgement on these tactics. What is to be gained by passing this determination?

It has been said that this determination has to be passed to enable the various administrative acts to go ahead in preparation for devolution. That is not the case. Section 2.4 of the report indicates that the administrative work in setting up the Departments has already started. The number of Departments was

confirmed by the Privy Council on 10 February, and those Departments will come into effect on the day appointed for devolution. Thus the necessary administrative work will not be affected by whether this business motion is passed or not. We are correctly informed that before devolution can occur, there has to be some form of determination. I do not doubt that.

As indicated by Mr Foster earlier, the circumstances are not appropriate at present for setting up an executive. Surely we should wait until the circumstances are appropriate before we formally pass any determination. If the circumstances were appropriate, we would be in a position to pass a determination within a matter of days. It strikes me that to pass it at this time would be foolish.

We have been told that the stop-gap measure offers an opportunity for a review of the whole process. We have been told by the Taoiseach—and we have no reason to doubt the Taoiseach's word because he is a man who is consistent—that if we reach a review stage, nothing can really change. We have also been told this by Members opposite, particularly those on the SDLP Benches, and to be fair to them they have always been completely straight on this issue. We are going to vote on the agreement, and this is what is going to go through.

In any event, if we enter into that review having made the determination, we will be throwing away one of the Assembly's strongest cards—the final veto over the establishment of an executive, when that is by no means necessary. We will be handing over to the Secretary of State who will, via the Standing Orders, have complete control over its establishment and the timing of its establishment.

If we take the course of action that is proposed in the DUP amendment and reject the determination, we would not be passing any judgement on the nature of the Departments. All the preparatory work can go ahead so that were we to reach the situation in which we were ready for devolution, that could happen.

We would be sending a very clear message to the Government that the Assembly will not tolerate terrorists in government under any circumstances. We would be sending a clear message that no one could misunderstand.

In any form of politics there are times when the dictates of one's party conflict with matters that one believes to be vital to the good governance of the country. This is one such occasion, and in all conscience I will vote against the determination because it is entirely inappropriate.

Members should note that however things go between now and March or in the future, this will be the last opportunity for individual Assembly Members to

voice their concern on this issue. Once the motion is passed, individual Assembly Members will not have that opportunity again.

My good friend Dr Birnie—whether he will want to claim that description is another matter; if I am going down perhaps I can take Dr Birnie with me—quoted Stanley Baldwin, who said that power without responsibility was the prerogative of the harlot throughout the ages. At that time there was another quote of which I do not know the source, and I fear that it will come into play if we accept the motion. We will be left with responsibility without power, which has been the prerogative of the eunuch throughout the ages. I urge Members not to be the eunuch but to take a stand by voting no to the motion and supporting the amendment.

**Mr Dallat:** The report sets out the blueprint for the future of Northern Ireland and its relationship with its neighbours. It is the culmination of months, indeed years, of hard work, and I pay tribute to those Members who worked hard to bring us to this stage in the political process.

It is my wish and without doubt the desire of the vast majority of people of both traditions that this day will mark a new beginning, a new style of politics and a new kind of democracy. Not everyone has welcomed the report with open hands. Some are apprehensive and a few are openly hostile, but we must be prepared for that, because politics should be about taking risks, meeting challenges and overcoming difficulties. It is certainly not about running away or about coming here with a sound bite for the media, and nothing more. *[Interruption]* I remind DUP Members that when they were speaking I gave them the courtesy of silence. I hope that Mr Robinson hears me. *[Interruption]*

**The Initial Presiding Officer:** Order.

**Mr Dallat:** Change does not come easy to many people. We have a long history of resisting change, not only in politics, but in many aspects of our daily lives. Some Members came here today by motor car. One or two arrived in chauffeur-driven limousines, and perhaps Sammy Wilson came on his motorbike. In the last century when the motor car made its debut, someone walked in front with a red flag to warn of the dangers. In such circumstances some Members might have arrived with a green flag in front.

Just as the motor car has turned out to be safe if handled properly, let us hope that the new style of politics proposed in this report will be accepted—even if we continue to argue about the colour of the flag.

3.45 pm

We cannot continue on horseback, because we are going nowhere fast. Members must face the future,

uncertain as it may be, and we must stop putting obstacles that will prevent political progress in the way. In the engineering world, people from these Northern Counties influenced a rapidly changing world with their inventions. People like Harry Ferguson, John Boyd Dunlop and many others did not turn away just because someone in Parliament said “You must confine your motor car to five miles per hour, and you must have someone walking in front with a red flag.”

As Members debate this report the world is moving on, away from the engineering world which I have reflected upon and on to a new world of science and technology. That is the immediate challenge facing Members. Just as there were great innovators eager to encourage change in the past, there are many splendid people in the universities and the world of work today who have the knowledge and skills to put Northern Ireland back on the map. Their work has been seriously hindered by the continued political instability, and it is our task to do something constructive about that. Are Members prepared to be constructive or will we continue to live in the past with our little flags the only security we have to offer? I hope not.

Over the past few months Members have had an opportunity to focus on the political problems of the North and concentrate their minds on possible solutions. We know that the New Assembly must target social need, influence economic development and encourage cultural diversity. There will be 10 Government Departments as well as the six implementation bodies to do just that.

Members have a duty and a responsibility to ensure that education and training is appropriate to today's needs and those of tomorrow. If Northern Ireland is to compete in the ever-changing world of science and new technology, much has to be done to make up for the neglect of the past. Members cannot walk away from this responsibility merely because they disagree on a timescale for redressing decommissioning or whatever.

Northern Ireland has been through hell for 30 years. Is the two-year timescale for sorting out these problems too much to live with? Progress in matters such as decommissioning is important; it will help reduce fear and mistrust, and Members who can influence progress have a responsibility to do so.

But there are other issues to be faced, and the most fundamental is the ability to trust each other and, in turn, to encourage the wider community to do likewise.

In the Assembly there are encouraging signs that people from different backgrounds are making a genuine effort to stretch out the hand of friendship. Slowly but surely they have begun the process of building bridges and have set about laying the foundations of a new future built on mutual respect and

a growing sense of confidence. This process is the greatest weapon to ensure that never again will politics fail. Is it too much to ask that Members ensure that people can continue to build bridges, create trust and show leadership?

Returning to the report before us, let us welcome it enthusiastically so that we can at last begin to address the very serious problems in the Health Service, deal with the shortcomings in education and tackle social injustice in all its forms, particularly unemployment.

Over the last nine months, I have had the chance to meet many people, many involved in the world of business and commerce, others running the various Government agencies or holding down key positions in our universities and places of higher education. I have also met a multiplicity of people involved in the community sector working both in a voluntary and statutory capacity. All of them are dedicated people who have ideas for the future and some will, no doubt, become members of the Civic Forum where they can assist and support the Assembly in its work.

How can I, or anyone else, go back to these people to tell them that we have failed? We cannot do it, and if those who say they are opposed to the report were honest with themselves, they could not do it either. They are waiting for someone else to blink, to give way so that they can run to the battery of cameras outside screaming "Sell-out".

For political expediency, they want to gamble with the lives and future prosperity of our people. They do not care about the Health Service, the failings in our education system or the plight of the ordinary working-class people of this Province who have no jobs and no hope.

**Mr R Hutchinson:** On a point of order, Mr Initial Presiding Officer. I take exception to the Member's suggesting that Members on this side of the House who are opposing the motion do not care about education and health. How dare he?

**Rev William McCrea:** Further to that point of order, Mr Initial Presiding Officer. How can it be that those who are so concerned about education and the rest will waste £90 million to have 10 Ministries and jobs for the boys?

**Mr Dallat:** I will accept their apologies.

A few of those involved have made their fortune. Others are waiting, hoping, even praying, that someone else will make the decisions so necessary and they can continue to enjoy the salaries and perks of this House but without responsibility for those decisions. Their only contribution so far is to condemn and crucify those—*[Interruption]*

**Mr R Hutchinson:** On a point of order, Mr Initial Presiding Officer.

**Mr Dallat:** No more points of order.

**The Initial Presiding Officer:** It is not for one to dismiss points of order that arise.

**Mr Dallat:** They are not points of order.

**The Initial Presiding Officer:** When you find yourself in this Chair, as you undoubtedly will, you can deal with that particular question. If these are not points of order, then it makes me very chary of accepting future ones.

Mr Hutchinson, if it is genuinely a point of order, please give it.

**Mr R Hutchinson:** That is not for me to decide, Mr Initial Presiding Officer. It is up to you to decide whether it is genuine or not.

Would the Gentleman be so aggressive if he were asking these Members here to get rid of their arms?

**The Initial Presiding Officer:** That is not a point of order, and I will consider that when further points of order are requested. I cannot do otherwise.

**Mr Dallat:** At all times I have shown courtesy to other Members when they were speaking.

Their only contribution so far is to condemn and crucify those who have shown courage and leadership. No one will ever know if the parliamentarians of the past who ordered that red flags should be carried in front of motor vehicles were genuinely concerned about the danger of the motor vehicles, or were simply political opportunists playing on fear in the same way as our politicians are today.

This morning Mr Mallon asked us to place our trust in each other. Mr Ervine reinforced that very well this afternoon. I will end with a little prayer to St Francis:

"Lord, make me an instrument of Thy peace.  
Where there is hatred, let me sow love;  
Where there is injury, pardon;  
Where there is doubt, faith;  
Where there is despair, hope;  
Where there is darkness, light;  
Where there is sadness, joy."

Northern Ireland needs to take heed of those sentiments. I beg the Assembly to endorse the report in its entirety.

**Mr Shannon:** In 1966, following criticism from the anti-O'Neillite opposition to the perceived anti-Unionist policies of Terence O'Neill, Lord Brookeborough gave this warning to his party colleagues:

"Many of us do not like the way things have been going of late. May I offer grave warning at this time—never at any time can we



Unionists afford to forget that in unity, and unity alone, rests all our strength."

I appeal to those Unionists who would do today what they have refused to do during 30 years of terror, and that is to hand over to Dublin the right to dictate to people in Northern Ireland the way in which they should run their lives. This is the greatest concession ever to Republican violence in the history of Northern Ireland, and it is being made in the name of peace. Peace means that there are no bombs in London, although a certain level of violence can be accepted in Northern Ireland. This peace will only last until such time as Sinn Féin/IRA grows frustrated and returns to doing what it does best. *[Interruption]*

**The Initial Presiding Officer:** Order. I find myself in the unusual position of having to ask for order from the colleagues of the Member who is speaking.

**Mr Shannon:** I appeal to Ulster Unionists to stand by their manifesto pledges and rejoin us as we strive for the return of true democracy in Northern Ireland.

What has changed between 1974 and 1999? In 1974, Unionists stood firm and united to oppose the executive interference of Dublin, through the Council of Ireland, in the internal affairs of Northern Ireland. In 1999, some Unionists support executive inference by Dublin, through the proposed North/South bodies. In 1974, it was proposed to establish an Executive based on a wholly unrepresentative and undemocratic Nationalist-to-Unionist ratio of 50:50. In 1999, some of the people who opposed this body 25 years ago are now supporting exactly the same proposal. In the past 30 years, however, more than 3,500 lives have been lost in this country in our attempts to preserve freedom and justice.

Those who support the ratification of this treacherous report say that it is the only way forward, if we do not want the murders and mutilations to resume. We are here today because of that violence, not because we are participating in a genuinely democratic process. For the time being, Gerry Adams, Martin McGuinness and their murderous colleagues are satisfied with the concessions that have been made. But their strategy means that they will inevitably return to terror when these concessions cease. The peace of which these men speak is not based on compromise or on mutual respect but will be possible only when there is a united Ireland. Only then will they cease to have any quasi-political reasons for murdering Unionist people.

We all welcome investment in Northern Ireland, and the jobs and prosperity that go with it. However, what precluded peace and prosperity in the past was violent terrorism. There has been huge destruction of both life and property. The only path to peace and stability is to remove guns and explosives from the situation.

Sinn Féin/IRA demands that all sides carry out decommissioning—not just paramilitary organisations but also the legitimate forces of law and order in Northern Ireland, (the RUC and the British Army). If Sinn Féin were genuine in its wish for equality, it should demand that the Irish Army decommission. In 1969, this Army gathered at the border, in a blatantly provocative operation to "defend" one section of this community. They should be part of Sinn Féin's equation. They could decommission a few tanks, to start with—that is if they have any. Perhaps the Irish Navy could scuttle a gunboat or two. That might stop them from illegally boarding British fishing vessels from Portavogie and Kilkeel in British waters.

Sinn Féin/IRA never stops talking about equality, but what about equality for the victims of their search for "peace"? What about the thousands of families and friends who have been robbed of their loved ones? When will we hear Gerry Adams stand up for the rights of the victims of the IRA? On 12 September last year, troops made a last symbolic patrol on the streets of Belfast before withdrawing to barracks. Yet the activities of all the paramilitary organisations have shown no signs of diminishing whatsoever. People are still being maimed by the weapons which the IRA and other groups continue to hold.

At the end of September last year, soldiers of the Royal Irish Regiment stationed along the border had their personal protection weapons decommissioned. Perhaps the IRA could give their defenceless victims a week's notice of their assassination, so that they can pop down to the barracks and sign out a personal protection weapon

Rumours about an escalation in Republican terrorism in those areas have substance. This is an ongoing problem for the security forces who, in spite of the supposed peace, are once again wearing flak jackets.

4.00 pm

The IRA has yet to decommission one single round of ammunition. There can be few families in the Province which have not been touched by the deadly, cold hand of terrorism. While the Unionist and the Protestant people have felt the brunt of IRA violence, it is often forgotten that the organisation which was singularly responsible for the deaths of most Roman Catholics during the past 30 years was the IRA—the so-called protectors of Nationalists.

Two victims in particular come to mind. First, Kenneth Smyth, a UDR sergeant—my cousin—murdered on 10 December 1971, and, secondly, his colleague, Daniel McCormick, an ex-UDR soldier. Kenneth Smyth had been a B-Special; he was a UDR sergeant and a Protestant. Daniel McCormick had been in the UDR; he was a Roman



Catholic, who left behind three young children. That is an example of a Protestant and a Roman Catholic both defending their country and both murdered by the IRA. As on most occasions throughout the troubles, the murderers simply made their way back to the sanctuary and confessional box of the Irish Republic.

Some people see fit to question the integrity of the security forces because of their religious make-up. The fate of the two brave men that I have mentioned can only be a major factor in this.

I will list some details of the terror that we had in the month of January to give Members some idea of what these boys are up to in their spare time. They seem to be pretty busy: 15 shootings, 35 beatings, 65 exiles and 69 intimidations—184 incidents, six for every day in January. These incidents took place, behind backs, in Holywood, Bangor, Cookstown, Londonderry, Dungannon, throughout Belfast and all over the place—an ongoing plan of terror against the good people of this Province. That is a phenomenal set of figures and makes interesting reading considering that we are meant to have peace. The conclusion of the peace process should have been peace, but that has not happened. There is not even a basis, a framework, or a foundation for peace of any sort.

All that Members have succeeded in getting is a growing list of demands from Gerry Adams and his pan-Nationalist colleagues. When one considers that it is estimated that the IRA has been responsible for over 1,000 knee-cappings and other forms of torture, which have left people maimed or disabled, one can really grasp the true spirit in which these people operate.

Sinn Féin/IRA has continually reaffirmed its pledge never to decommission, while in the same breath it, and its political masters, demand the destruction of the gallant Royal Ulster Constabulary and the decimation of the criminal justice system. This is the accountable democracy that certain politicians love to eulogise about. Thanks, but no thanks.

Armed terrorists cannot be allowed to take up positions through which they can dictate how we should run our lives when, for over 30 years, they have done their very best to destroy those lives. To do so would be to abandon every principle of freedom and justice that we have ever stood to defend and protect.

Gerry Adams was reported in a recent newspaper interview as having said that hundreds of people who would otherwise have died in the conflict are alive and well today because of these endeavours. He seemed to be implying that had not the ongoing concessions process offered up sufficient gains to satisfy the insatiable tapeworm appetite of pan-Nationalists, his colleagues would have killed hundreds more people in protest. Gerry Adams makes it crystal clear that that is

what would have occurred, and he is saying that if his demands are not met, this is what will happen in future.

It is blatantly obvious that this Executive, this report, the agreement and this whole process are in no way accountable to the people of Northern Ireland, who have paid the price for a 30-year campaign of terror waged against them. On the contrary, it is based simply on the whim of those who were responsible for 30 years of violence, people who were, and still are, committed to the destruction of this country.

These people retain every ounce and bullet of their weapons capability to enable them to recommence their terror campaign, and their words indicate that that is what they intend to do, yet this report proposes to give them seats in the Executive of the Assembly, to see the destruction of Northern Ireland from within. At the same time, Dublin is given the first tentative reins of executive power over us.

Other Members have referred to their children. I am the father of three young boys, and I will be doing my best for them by taking this stand. It is for them and for the thousands of other children that the DUP takes a stand, and it is for the children and the grandchildren that we urge Unionists not to support this report. It is a total travesty of justice and represents a profound adulteration of all democratic principles.

This report must on no account be ratified, and I urge every democrat in the House to take the resolute action which is necessary to restore democracy to Northern Ireland and vote this report into the annals of history. This could be the day that Unionists recaptured their Unionism.

**Mr J Kelly:** A Chathaoirligh, we have heard all morning, and into the afternoon, about decommissioning. I contend that the issue which is central to the success of this agreement is not decommissioning but a commitment to equality in all its strands. Equality is at the core of this present peace process.

One has only to reflect back to 1985, to the Anglo-Irish Agreement, when there was no Sinn Féin, no decommissioning, no guns outside the door, inside the door or under the table. There was only the SDLP and the Alliance Party, and mainstream Unionism could not bring itself to share power with those constituents at that time. It is not about decommissioning, a Chathaoirligh, it is about equality.

Sinn Féin has campaigned strongly for a Department, to deal with equality issues and we will continue to do so. We will continue to do so, a Chathaoirligh, because equality must be cardinal in the governance of the Six Counties, and a dedicated Department is the only way of beginning to do that. The equality agenda must be developed on an all-Ireland basis. We need to demand

the same level of equality promised in the agreement for the 26 Counties as for the Six Counties.

Equality is a right for all our people, North and South, Protestant and Catholic, men and women, black and white. Recognising this truth is the first step towards cherishing all of the children of the nation equally.

A Chathaoirligh, during the 18 January discussions on the report from the First Minister (Designate) and Deputy First Minister (Designate) Sinn Féin strongly criticised the proposal to locate the responsibility for the equality agenda within the office of the First Minister (Designate) and the Deputy First Minister (Designate). We did so, A Chathaoirligh, because even now, 30 years after the Civil Rights Movement began its campaign to end discrimination, and after 25 years of fair employment legislation, Nationalists are 2·2 times more likely to be unemployed than Unionists. This is why Sinn Féin puts such store by the equality agenda and the establishment of a Department to deal with it.

Neither the Unionist parties nor the British Government, with their proven track record, can be fully trusted to deliver on equality unless it is open and subject to public scrutiny on an ongoing basis. In that context, A Chathaoirligh, Sean Farren, speaking on behalf of the SDLP in an earlier discussion, indicated support for our call for a scrutiny Committee. Unfortunately we have not had any further details of this proposal placed before us today. We hope that this is not an empty promise, and I invite the First Minister (Designate) or the Deputy First Minister (Designate) to share their thoughts on this vitally important matter with us in their concluding comments.

A Chathaoirligh, those who advocated placing responsibility for the equality agenda under the influence of David Trimble have clearly disregarded his inability, thus far, to act impartially on issues of equality. The most glaring example of this lack of impartial perspective is his support for the Orange Order and other Loyalists in their attempts to trample over the rights of the Nationalist residents of the Garvaghy Road. He too has persistently refused to meet with the residents or their elected representatives even though they are his constituents.

We believe that the SDLP has advanced the rather disingenuous argument that Unionists would take control of the equality Department under the d'Hondt system and apply a dead-hand policy to prevent any implementation of equality policies. The SDLP, in making this argument to journalists and to ourselves, appears to accept that the Unionist parties will continue to behave in the discriminatory fashion that has characterised their attitudes in councils throughout the North over the years.

Discrimination must be confronted, A Chathaoirligh, and the parties in this Assembly must set their faces against any practice that discriminates against any section of our community. This is that basis of the Good Friday Agreement and the new political beginning that we all signed up to. Discriminatory policies and practices—

**Mr A Maginness:** Does the Member agree that the SDLP's position is to be preferred in relation to equality since this is not the province of one individual Minister? Rather it is a cross-departmental matter that is controlled, directed and inspired from the centre by the First Minister (Designate) and the Deputy First Minister (Designate), a much more effective means of equality-proofing the policies of the future administration.

**Mr J Kelly:** The short answer is no. The reason—if I may continue—is that this is the basis of the Good Friday Agreement and the new political beginning that we all signed up to. Discriminatory policies and practices have distorted the political landscape in the North for many generations, and the Assembly should make it clear that that situation will no longer be tolerated.

We should, indeed, go further and ensure that there is no room for those who would discriminate or for those who would return to the bad old practice of Unionist domination and the denial of rights to Republicans or Nationalists or, indeed, Unionists. The argument that the matter of equality would become a battleground if placed in a separate Department ignores the fact that equality will be a battleground in any case.

It is better to have a dedicated Department with a cross-party scrutiny Committee than to let the issues become an ongoing bone of contention between the First Minister (Designate) and the Deputy First Minister (Designate) at the centre or, alternatively, to ignore or long-finger them in order to avoid dissension. If equality is placed at the centre and then ignored or treated with less importance than other issues, we will all come under severe criticism from a community that will feel let down in respect of the promise made to it by the agreement.

The First Minister (Designate) and the Deputy First Minister (Designate) can play an arbiter's role in any dispute between Departments on this matter. They cannot be independent arbiters of their own Department. Equality in all of its dimensions is a critical element of the peace process and cannot be left to the vagaries of internal Unionist political dynamics. Equality of treatment, in all walks of life, has long been a central plank of Sinn Féin's political agenda. Equality, and the eradication of discrimination, are central to the building of a stable and cohesive society.

Paragraph 3, under the heading “Human Rights”, in the Rights, Safeguards and Equality of Opportunity section of the Good Friday Agreement, sets out a mode of working for public bodies which will be very different from the relationship that such bodies have had with the public until now. New Departments with new Ministers will need a great deal of help, advice and encouragement if we are to set out proper work practices from the outset. A new Department of the centre will simply not be able to give sufficient weight to this along with its other responsibilities in the early months.

In overseeing the new statutory duty on public bodies, both inside and outside the Assembly, an Equality Department could have worked successfully with the new Equality Commission, thus creating a strong internal and external mechanism for bringing about equality.

There can be no lasting political settlement which is not built on a solid foundation of equality. This is a fundamental democratic right which must be seen to be being delivered, and the most transparent manner by which that could be achieved is through an independent Department of Equality which was subject to examination by a cross-party scrutiny committee.

The Good Friday Agreement, A Chathaoirigh, was heralded as the beginning of the end of our shared history of misery, conflict, violence and grief. Throughout the island of Ireland our people have welcomed and voted to support the political accommodations and compromises that were so painstakingly negotiated over so many months. In all of this, a key concept—possibly the key concept—has been equality. The brave new beginning that the people of Ireland voted for, the democratic society that we are attempting to create, can only be built on the most solid foundations of equality.

4.15 pm

**Mrs E Bell:** First, I would like to concur with the remarks of my Colleague Mr Neeson on the report as a whole. However, I will concentrate on the proposals for the Civic Forum. The Alliance Party will be supporting the report of the First and Deputy First Ministers (Designate) as we are very keen to see this Forum established. We do have some concerns over certain aspects of the proposals, and I will outline them now.

First of all, I would like to take the opportunity, as a member of the consultative sub-group, to thank all those organisations and individuals who made submissions. As a local representative and a community activist, I can appreciate the need for the Civic Forum, and I do hope it will be set up as quickly as possible. The development of civil society in Northern Ireland, and the Assembly’s interaction with it, are fundamental

requirements upon which to build on the foundation laid by the agreement. The Civic Forum can complement the institutions of representative democracy and provide a greater sense of legitimacy to their decisions. It should not, and will not if it is set up effectively, threaten anyone. It is accepted that the Civic Forum should be consultative; nevertheless, there is great scope for its having a substantive and innovative role that will complement the Assembly.

The Civic Forum should be encouraged to look at cross-sectoral, inter-departmental themes. It could initiate new strategic thinking, bring forward fresh ideas and show policy creativity in areas where the Assembly would perhaps not be so flexible. There are a number of policy areas in which it would have important things to say—for example, on sustainable development, social inclusion and the competitiveness of Northern Ireland. It could also play a useful role in addressing society’s divisions and help to promote reconciliation, and we need that. It is noteworthy that we in Northern Ireland are lucky to have a large part of civic society organised on cross-community lines.

This report, at times, bears no resemblance to the areas in our sub-group report, and I am sorry about that. Comments and suggestions made by all parties have been left out, and those omissions take away from the credibility of the report. It is disappointing that the First and Deputy First Ministers (Designate) have not reflected the hopes expressed by myself and others for the success of the Civic Forum—sometimes even their own hopes.

It is important that the Assembly take the Civic Forum seriously. The Civic Forum should act largely on the basis of matters referred to it by the Assembly, and it should have a useful role to play in commenting on any programme of action coming from the Executive—if we ever get that far.

The report is not clear about whether the Forum will have the ability to raise matters on its own initiative, nor is it clear on the relationship that should be built up between the Assembly and the Civic Forum.

I am also concerned about the proposed nomination process for the 60 members. It should not just comprise the great and the good, although those people have made a contribution, they have been to the forefront of the voluntary, community, trade unionist and commercial worlds; but it should also include people who have worked long and hard in dreadful conditions and without recognition. They have had a great effect on their own communities and on Northern Ireland in general.

I am therefore concerned that the First and Deputy First Ministers (Designate) have the authority to nominate six personal choices. That was never



suggested to us in the sub-group. We have heard a number of Members expressing concern that the UUP and the SDLP have taken too much power onto themselves. It is vital that this Forum maximise, as far as is possible, the diversity of opinion in Northern Ireland. We would lose an opportunity were we not to do it. I therefore ask the First and Deputy First Ministers (Designate) that information be given to us with regard to the criteria for nominating these six direct appointees. There must be no chance of marginalisation of any group or section, and no preference should be given. The rigid division of the make-up of the different sectors is, perhaps, overly inflexible. I hope that no significant groups have slipped between the cracks and, as a consequence, will feel aggrieved.

I am also unclear as to what was meant by the First Minister (Designate) when he said that they would have oversight of the nominations. Does that mean that the public will nominate these individuals for selection by the First and Deputy First Ministers? Or will they select them after they have discussed it with them and reached an agreement as to who they would put forward? Oversight is not enough. We must be clear regarding the line of selection and nomination.

I do hope that paragraph 10(2) will be adhered to: that the evolution of the Forum will produce an ongoing monitoring programme in the remit of the proposed subcommittee that is mentioned. The review must be effective and constructive to ensure the maintenance of a Civic Forum that represents truly the rich and diverse civic society that abounds in Northern Ireland. After the proposed review of 12 months they can have an ongoing monitoring programme by way of a proper and effective review. It will be like the Assembly, an evolving thing. It is new.

We are starting off from a completely new scenario, and in the Civic Forum we must take all the advantages of the work that has been done in society over the years. We have had more than enough of majority rule in Northern Ireland, so politicians and citizens must now go forward to build an equitable, responsible, accountable and truly inclusive Northern Ireland. The Civic Forum must be equipped to do this and to proceed with the confidence and the respect of the Assembly.

I support the motion.

**Mr O'Connor:** Tony Blair stated at the time of the Good Friday Agreement that he felt the hand of history on his shoulder. Twenty-five years after the collapse of the Sunningdale Agreement, history must not be allowed to repeat itself. This process is not perfect, but it gives us the best chance in 25 years to deliver good, accountable government to the people of Northern Ireland on the issues that really

matter—health, education, jobs and economic development.

As we consider the contents of the document before us, we must make that step forward. The overwhelming majority of the people voted for that accountable government, and we must deliver it to them. The determination must be made to agree the numbers on departmental responsibilities in order to be able to take this process forward and be ready to assume power on the appointed day.

The agreement is a principled compromise which allows Nationalists and Unionists an equal say in the way our country is to be governed. It is fitting, therefore, that an Executive should reflect this equity by having 10 Ministers and 10 Departments. By having five Nationalist Ministers and five Unionist Ministers we will have to work together for the good of all the people.

Some people have suggested seven ministerial Departments: four Unionist and three Nationalist. This would be a perversion of the election. The combined first preference vote of Nationalists and Republicans for the SDLP and Sinn Féin was 320,821. The combined first-preference vote for the Ulster Unionist Party and the DUP was 318,142. It is inconceivable that with Nationalists and Republicans achieving more votes at the polls than the DUP or UUP, the process should be gerrymandered to allow Nationalists less representation on an Executive. That would be totally unjust. The designation of the 10 Departments provides many overlaps, thus making it necessary for all the Ministers to work together collectively for the good of all the people.

I welcome the proposals for the Civic Forum. I pay tribute to the six parties which took part in the round-table discussions on it. The Civic Forum is very important in that it will complement the Assembly. It will act as a valuable consultative body, and its membership will be inclusive. All sections of the people will be represented through industry, trade unions and voluntary organisations.

Mr Kelly, a Sinn Féin Member for Mid Ulster, touched on the Equality Department and why his party felt that it was necessary to have a separate Equality Department. I welcome the fact that the Equality Department is being retained within the office of First and Deputy First Ministers. It is much too important an issue to be the remit of one Minister.

Mr Kelly said that the Unionists, the British, could not be trusted with equality. That is exactly why it cannot be the remit of either a Nationalist or a Unionist. It is much more important than that. By retaining it within the office of the First and Deputy First Minister, each can police the situation for the benefit of both



Nationalist and Unionist; they can ensure that equality is a real issue in each of the 10 Departments, and it is not sidelined. The political integrity of the whole equality issue will be maintained as long as it stays at the centre.

There can be no blaming Unionists for doing this or Nationalists that. By retaining it within the collective office of the First Minister and Deputy First Minister, we ensure that it is dealt with correctly.

Every Member is responsible for ensuring the full implementation of the Good Friday Agreement. Within the agreement parties must use their influences to achieve full decommissioning of all illegal weapons by May 2000. This is still the case. The Deputy First Minister (Designate) has said that if it does not happen he will vote to exclude those who do not fulfil these obligations from ministerial office, and I support him in this.

But today violence in our streets has subsided. People now focus on punishment beatings. They are terrible and an abuse of human rights. We all accept that. But people are walking our streets today who would not otherwise be. Before the ceasefires between 80 and 100 people lost their lives through terrorist violence each year. Since the ceasefires in 1994, there are between 300 and 400 people alive in this country who would not be otherwise. This is something that we should not lose sight of. Had only one person been still alive, this whole process would still have been worthwhile and to suggest otherwise is total nonsense.

Many Members have talked about decommissioning, including the decommissioning of guns. Perhaps some of them—those former members of the Ulster Resistance—would use their influence to ensure that the illegally held weapons brought in from South Africa are also decommissioned.

4.30 pm

I remind the House that guns do not kill people. People kill people. Guns are sometimes used, but the weapon can be a knife, a hammer or a crowbar. It is far better to decommission the mindset that makes people want to kill. That can be achieved through the democratic process in which we are engaged. By listening and learning from each other we can build the trust that will move this society forward.

I should like to finish my maiden speech by quoting Martin Luther King. He said

“We are not where we want to be, but thank God we are not where we used to be.”

**Mr S Wilson:** We have had a useful debate in which many of the issues that surround the report have been well aired. Perhaps it has not been as colourful as the debate on 18 January. Mr Mallon has not been

flying his aeroplane, and Mr Close has not been pushing his wheelbarrow, but we have dealt with some of the issues.

Two aspects of the report have been skirted. The Ulster Unionists have been guilty of that because they fear where the report will take them, and Members of other parties have done it because they know that the contents of this report, the compromise as they call it, is not the essence of good government for Northern Ireland.

I will use a metaphor which I am sure Members, and especially Sinn Féin Members, will understand. The report is a political time bomb that people started to construct in December. Bringing the report to the Assembly has put in place its timing mechanism, and the leader of Sinn Féin has said “When we take the vote, we will trigger that mechanism.” Perhaps he knows all about triggering mechanisms.

The First Minister (Designate) has told us that we then simply hand it to the Secretary of State to do as she wants. She has no intention of defusing that bomb if things do not go the way that the Ulster Unionists think they should go. It will explode and destroy democracy and the Union because it will blow into government members of Sinn Féin/IRA.

I do not care what we have heard from Members of Sinn Féin in the debate. Gerry Adams spoke about being concerned that there was no Minister for children. Many were left as orphans by the work of his organisation. Gerry Adams also talked about there being no special provision for the elderly, many of whom have lived all their adult lives in the shadow of the gun and the bomb, and perhaps lost loved ones as a result. Sinn Féin portrays this new image, which was probably just as nauseating on the television upstairs as it was in the Chamber.

David Ervine turned all his bile on DUP Members because they dared to highlight the true nature and affiliations of Sinn Féin. I do not regard him as a traitor. However, I do regard him as a sad case, who comes from the Unionist community and spends the 10 minutes he has in the Assembly attacking fellow Unionists and defending Sinn Féin. You would think that he might have learnt by now—the man who gave Gerry Adams the benefit of the doubt at the time of Canary Wharf. You would think he would have learnt by now not to trust IRA/Sinn Féin. *[Interruption]*

I will come to the Member in a minute. I do not want him to feel left out.

We have this new face of Sinn Féin—Martin McGuinness tells us he is offended because when he walks along the corridors in this building, David Trimble will not say “Hello” to him. Of course, he does not say “Hello” to half of his own party,

so it really does not make much of a difference. This is the new sensitive face, the caring face, of Sinn Féin that is being presented—they plant trees instead of bombs, and we are supposed to think that this is progress. Well, I do not believe it is progress to set in train a string of events which will place people who still wish to retain their arsenal in a government.

The second thing I wish to say is this: quite a lot of Members have mentioned aspects of this report which they do not like. It is not a report set for good or efficient government—it was never designed for that. The First Minister said that it had been his aim to have seven Departments, and indeed Members of his own party have said that more than seven Departments were unnecessary. Anyone who wanted more than seven departments just wanted to get his snout in the trough. Yet the First Minister (Designate) said that he gave up the idea of seven Departments not because it would be good for efficient government but because it gave him a negotiating tool. We have finished up now with 10 Departments which will cost the taxpayers £90 million and give us a form of government which is most inefficient.

People have asked why the DUP did not put forward proposals. We did. We said that there was nobody in the House who had any experience of government in Northern Ireland in the past and that, rather than jump in with both feet, we should start with what we had. Then, if we needed to expand Government Departments after we had learnt about how they operated, we could do that later. But, oh no. Now we have a set of new Government Departments.

Let me talk about something that was mentioned this morning. The education and library boards will now find themselves responsible not to one Minister but to three Ministers. For schools, it will be the Minister for Education; for student support, the Minister for Higher Education; and for libraries the Minister for Culture, Arts and Leisure. Is that going to lead to better government? In no other part of the United Kingdom are, for example, schools and libraries separated.

We have got a programme which the Department of Education has been promoting and which I understand all parties in the Assembly have been promoting—Education for Life-long Learning. The whole essence of this programme is that we have an integrated system of education. Libraries, schools and further education are all integrated. What has this report done? This report has fragmented that.

I also have some knowledge of planning. In England, unitary authorities are being set up because it has been recognized that it is a nonsense to separate development control from strategic planning. What does this report do? It separates strategic planning from development control, and transport planning, urban planning, social

regeneration and social development are elsewhere. Three elements of planning are in three different departments—and this is supposed to give us more efficient government.

Indeed, some of the report's authors do not have a clue about what is meant by some of the terms. I always understood "sustainable development" to encompass all aspects of government—where one integrates it, and where one plans to make sure that communities are sustainable. Therefore one has to make sure that schools, roads and housing, for instance, are in the right location. Sustainable development is a kind of overarching concept in planning, yet it has been stuck into one department. I suppose the rest of those engaged in planning will feel that it is not their responsibility.

I could go on, but I do not have much time. Were Assembly Members to be honest with themselves, they would recognise this report for what it is—a piece of political chicanery and nothing to do with effective government. That is why we will be rejecting it.

**Mr Wells:** On a point of order. We have just listened to another outstanding contribution from the Member for East Belfast, and the reason everyone in the Chamber listened to his every word was that he did not read from a prepared text. All Members of the Assembly have made their maiden speeches. There is no excuse now for any Member to read verbatim from a prepared text. Can we not encourage Members to stop reading their speeches and engage in proper debate?

**The Initial Presiding Officer:** I accept that that is an interesting point of order, and I shall make two responses to it. First, should Members wish this to be included as a note in Standing Orders, the proper thing to do would be to bring it to the attention of the Committee on Standing Orders. It is constructing the draft Standing Orders which I hope will be presented to this Chamber fairly soon. Should it be included in Standing Orders, I hope that Members will also indicate how the matter might be policed—for the sake of myself or whoever else is in the Chair. Secondly, in the absence of a Standing Order, should the Member concerned be very persuaded by the value of speeches being produced with the tremendous vitality and enthusiasm of his Colleague, he could perhaps draw that to the attention of some of his other Colleagues who have perhaps been a little less impressive.

**Ms O'Hagan:** A Chathaoirleach. First, I give today's report a qualified welcome. It is a welcome if belated step forward in the political process towards setting up the Executive and the all-Ireland bodies. My Colleagues have been outlining our party's concerns with this report and I share those concerns, especially with regard to the placing of equality in the centre. Equality and human rights provisions were central to the Good Friday Agreement. Outside the confines of this

Assembly, equality and human rights have been scarce commodities in Portadown. The small Nationalist community in that town has endured more than seven months of an orchestrated campaign of sectarian terror and intimidation carried out by the Orange Order and its supporters.

Since last July there have been more than 150 protests and demonstrations, most of them illegal, held by the Orange Order and Loyalists in the town. These have been carried out on an almost nightly basis, effectively corralling the small Nationalist community centred on the Garvaghy Road into their homes. The Nationalist population of Portadown cannot go about their normal, everyday business in the town. They cannot shop, go to the bank or to the post office or visit the local leisure centre for fear that they will be attacked and beaten. Those areas are out of bounds to them. Loyalists have verbally and physically abused schoolchildren whose uniform marks them out as Catholics. The case of Robert Hamill—

**Mr Dodds:** On a point of order. The Member has just referred to the phrase “out of bounds”. In terms of the motion her speech is very clearly out of bounds. We are not debating the Garvaghy Road or the Drumcree situation today, and I ask you to direct the Member to be relevant in her remarks.

4.45 pm

**The Initial Presiding Officer:** I was waiting to see how her speech related to one of the Departments. I trust that Ms O’Hagan will speak to the motion.

**Ms O’Hagan:** The case of Robert Hamill, who was beaten to death in Portadown town centre by a Loyalist mob as the RUC looked on, graphically illustrates the reality of sectarianism in Portadown.

**Mr P Robinson:** On a point of order, Mr Initial Presiding Officer. At the last sitting there was a clear direction by the Chair—not by you but by the person who took over in your absence—that Members had to confine their remarks to the issues that are contained in the motions on the Order Paper. It is clear that that is not being done. I ask you to ensure that Members confine their comments to the matters on the Order Paper and not trot out some hobby horse that a Member might like to ride up and down the Garvaghy Road.

**The Initial Presiding Officer:** We are debating the Departments, and I ask Ms O’Hagan to speak to the motion.

**Ms O’Hagan:** If I am allowed to continue the House will see the relevance of my comments because I will refer to equality being under the auspices of the First Minister (Designate) and the Deputy First Minister (Designate).

It is against the background of the shameful events in Portadown that the failure to implement the Good Friday Agreement is set. The continuing political vacuum, caused by the failure of Unionism to deal with Nationalism on the basis of equality, is the reason for the crisis in Portadown. David Trimble, despite his roles as MP and Assembly Member for the area and the First Minister (Designate), has consistently refused to meet the representatives of the Garvaghy Road community. His latest refusal occurred just last week. David Trimble is a member of the Orange Order, and he should use his influence to halt the organised campaign of violence that is being carried out by the Orange Order in Portadown.

**Mr Morrow:** On a point of order, Mr Initial Presiding Officer. At the last sitting of the Assembly, when I tried to speak I was interrupted 14 times. I was challenged because it was claimed that I was not speaking to the motion. Ms O’Hagan is not speaking to the motion, and I ask you to rule on that.

**The Initial Presiding Officer:** Your colleagues raised that and I asked Ms O’Hagan to speak to the motion. It seems that Ms O’Hagan is beginning to address the matter of the First Minister (Designate) and his Department. If she continues in that direction her speech will be relevant.

**Ms O’Hagan:** The report asks Members to make equality the responsibility of the First Minister (Designate) and the Deputy First Minister (Designate). How does Mr Trimble propose to ensure that the people of the Garvaghy Road are treated with equality, given that he refuses to speak to them?

That community has a right to expect Mr Trimble to ensure that their rights are protected. The Good Friday Agreement, under the section Rights, Safeguards and Equality of Opportunity, states that the parties to the agreement affirm the right to freedom from sectarian harassment. From July, events in Portadown show the inability of Unionism to live up to the Good Friday Agreement. Those events also call into question the ability of the First Minister (Designate) to treat Nationalists on a basis of equality. Peace requires change that is based on equality, justice, human rights and respect. It is time to stop Unionist terror and violence in Portadown. David Trimble has the power and influence to end the Nationalist nightmare in that town and to resolve the crisis in the political process and set about the implementation of the Executive. If he is serious about peace and sincere in his desire to create a new political atmosphere, he must act and act quickly.

Go raibh maíth agat.

**Mr Roche:** The report from the First Minister (Designate) and the Deputy First Minister (Designate), which has been put to the Assembly for a determination



by a cross-community vote, feeds into the Armalite and ballot box strategy of Sinn Féin/IRA. The report does not even mention the word “decommissioning”. This means that in its negotiations since July 1998 on the detail of the Belfast Agreement, the UUP leadership has failed to incorporate into this report the logic of its own understanding of the agreement, that the agreement requires the decommissioning of the IRA’s terrorist arsenal as a condition of Sinn Féin’s taking its seats in the Executive. The failure to build this into the report as an explicit requirement for Sinn Féin’s participation in the Executive is a total capitulation on the part of the UUP negotiators to what Mr Adams, in the politics of Irish freedom, has called “the vital cutting edge” of the Republican movement.

The UUP negotiators have also capitulated to what Mr Adams refers to as “the non-armed forms of political struggle”. The reason for this is that the UUP negotiators have conceded the full Nationalist demand for the number of seats in the Executive. The result of this UUP capitulation is that the role of Sinn Féin/IRA in the Government of Northern Ireland and in the North/South Ministerial Council has been maximised. The overall import of the report can be seen with brutal clarity: the UUP negotiators, in agreeing this report, have finalised the retreat that they have been making throughout the period of the so-called peace process from virtually every position of strategic significance for Unionism. This means that, in the terms of the Belfast Agreement and the detail of this report, the UUP negotiators have capitulated to a moral and political indignity of almost unbelievable proportions.

The terms of the Belfast Agreement and this report provide for the citizens of Northern Ireland to be governed by the architects and activists of the Republican terrorism that has been directed against them for 30 years while the IRA maintains its terrorist arsenal and organisational structures intact.

That is why no Member authentically committed to democracy and to the integrity of the rule of law could possibly vote for this report. But the UUP position is that the report should be agreed by a cross-community determination and then either “parked” or “reviewed” in case the IRA refuses to decommission its terrorist arsenal. The problem with both these proposals—apart from their inherent ambiguity—is that they are not provided for as options in the terms of the agreement.

There is nothing in the agreement that provides for a “parking” of the implementation of the agreement, whatever that term may mean. There are certainly no provisions in the agreement for a “review” in the case of a refusal on the part of the IRA to decommission its terrorist arsenal. These considerations mean that any attempt to “park” or “review” the agreement would not

have the support of either the Government of the United Kingdom or the Government of the Republic.

The ultimate strategic blunder on the part of Mr Trimble in putting the report to a determination is that he will either split his own party or the determination will have cross-community support. But in the event of cross-community support, the political initiative will pass immediately to a Secretary of State whose commitment to Irish unity is set out in unambiguous detail in a Labour Party policy document entitled ‘Towards a United Ireland’, which was co-authored by Mo Mowlam. The determination of the report would mean that the introduction of the Standing Orders to trigger the d’Hondt mechanism to seat Sinn Féin/IRA in the Executive would be entirely at the discretion of a Secretary of State committed to Irish unity.

The Secretary of State would then have to make a choice between “facing down” Unionist opposition to the seating of Sinn Féin in the Executive without IRA decommissioning or a return to terrorism on the part of the IRA. The choice of the Secretary of State is entirely predictable, since the whole political rationale of the agreement is to meet the requirements of Sinn Féin/IRA for what the Mitchell Report describes as “taking the gun out of Irish politics”. If need be, this means that the Secretary of State would almost certainly choose the option of neutralising any attempt to “park” the implementation of the agreement, particularly in the wake of the entire detail of the agreement’s being accepted in a cross-community vote in the Assembly. A Unionist vote supporting the report would therefore amount to a virtually irretrievable strategic blunder.

The consent principle in the agreement would provide no protection to Unionists once the Rubicon of accepting this report was crossed. The reason for this is twofold.

First, the consent principle in the agreement relates only to the issue of the final choice for Irish unity. Secondly, the consent principle in the agreement is not based on recognition of the legitimacy of Unionism. On the contrary, the repeated references in the agreement to “the people of the island of Ireland” and their right to self-determination concedes a fundamental point of Irish Nationalism—that there is a single nation or people on the island of Ireland. Ulster Unionists who took part in the negotiations leading to the agreement were, obviously, unaware that by making this concession to a fundamental tenet of Irish Nationalism they were undermining entirely the legitimacy of Unionism and the status of Northern Ireland within the Union.

The consent principle mentioned in the agreement is not related to any recognition of Unionism but is a purely pragmatic requirement for political stability in a



united Ireland. This separation between the principle of consent and the legitimacy of Unionism is a fundamental element in the attitude of Irish Nationalism to Unionist consent. It can also be seen in Dr Mowlam's policy document 'Towards a United Ireland'. This view is that, since Unionism is itself devoid of legitimacy, Unionists have no right of veto over how their consent to Irish unity—or any other issue—is obtained.

The logic of this position is developed in detail by Mr John Hume in his book 'Personal Views'. Mr Hume's central thesis is that the recognition of successive British Governments of Unionists' right to veto with regard to Irish unity was the fundamental cause of the last 30 years of terrorism in Northern Ireland. Mr Hume turns the victim into the culprit and is prepared to follow through unambiguously in the logic of his view on what he calls the Unionist veto. His position is that, if coercion is required to obtain Unionist consent, then Unionists must be coerced. This means that, if this report is given cross-community support, while its implementation is "parked", Mr Hume would not align the SDLP with those who demand that the IRA should decommission its terrorist arsenal before Sinn Féin can take seats in an executive. On the contrary, Mr Hume would, almost certainly, see such a situation as an appropriate opportunity finally to "lance the Protestant boil".

The presentation of this report to the Assembly brings Northern Ireland to the edge of the Union. The Unionist electorate should, therefore, take this moment to evaluate their leaders coolly, avoiding both political disorientation and defeatism. In short, they must avoid doing what some self-proclaimed leaders of Unionism have done. I take no pleasure in the development of this point.

During the debate on this report the leader of the UKUP set out his reasons for opposing it, just a few days after his party conference had indulged in the political tomfoolery of conferring honorary life membership on Dr Conor Cruise O'Brien. Dr O'Brien is now an unqualified advocate of old-style Irish unity. The argument set out in the final chapter of his memoirs is that Unionists have no option but to negotiate their status as Protestants in a united Ireland. Dr O'Brien dismissed the Union as a mere abstraction and argues that his plan for Irish unity would put the IRA out of business. That is indeed the case, as Dr O'Brien's plan would concede to the IRA everything for which they have terrorised the Unionist community for 30 years.

The political disorientation of the UKUP under Mr McCartney's leadership is such that the author of a plan for Irish unity, involving the appeasement on a massive scale of IRA terrorism, has been reinstated to the party as an honorary life member just a few months after I, with the support of my Assembly Colleagues,

and in the face of opposition from Mr McCartney, forced him to resign.

This insight into the politics of the UKUP is entirely relevant to the current situation. A vote to approve the determination of the structures proposed in this report would precipitate a crisis for the Union not seen since 1912. That is why I appeal to UUP Members to vote against the report. If this report is accepted on a cross-community vote, the first task for the Unionist electorate will be to deal with Unionist leaders who have nothing more to commend them than a lethal combination of strategic ineptitude and political stupidity at a time of serious crisis for the Union.

**Ms Rodgers:** First of all, I advise Mr Roche to read more carefully what Mr Hume wrote, because he has been quite selective in his dissertation on Mr Hume's views. He might also recognise that it was the SDLP, under John Hume's leadership, that was the first party on these islands to write the word "consent" into its Constitution.

5.00 pm

The report is the culmination of a lengthy process of negotiation and consultation among the parties in the Assembly, and it represents yet another step in the implementation of the Good Friday Agreement. Let no one forget that this agreement has the support of three out of four people in Northern Ireland and 85% of the people of this island. Those people voted for an agreement which they understood to be a compromise, an accommodation requiring give and take on all sides. They have a right to see the agreement working, and all of us in the Assembly share the responsibility to fully implement the Good Friday Agreement to the letter and, as Seamus Mallon said earlier, in spirit.

The setting up of Departments, as proposed in the report, will allow Members, as democratically elected representatives, to influence in a practical and accountable way the important decisions which affect the lives of their constituents. It will put an end to situations, such as the one which arose last week, when the Government, having announced an injection of resources for pre-school education last year, summarily changed their mind and reallocated the resources elsewhere. Members do not know what priorities influenced this volte-face; we do not know why the money was reallocated, and Members had no say in the matter. That is an intolerable situation, one which can be remedied when Members take the next step of assuming the right to influence and make decisions on these important issues themselves.

I listened to the tired old rhetoric of the past from some of the Benches in the corner opposite. Members heard the usual attempts to represent the proposition—and indeed the whole agreement—as a

danger to the Unionist identity. Dr Paisley raised the question of victims of violence—an understandably emotive issue, unfortunately affecting all sections of society. However, the real question is how can Members ensure that there will be no more victims of violence. By raising the temperature and, unnecessarily, the fears of the Unionist community—and we know, from people such as David Ervine, the effect that that has had in Northern Ireland in the past—do Dr Paisley and the DUP think that that is going to do anything to ensure that there will be no more victims of violence?

The agreement which is being implemented, and which I hope will continue to be implemented, is about achieving a situation where there are no more victims of violence and where Members can change the face of this community. Sammy Wilson talked about past atrocities and about blighted and lost lives. I want to know what contribution he and his party have made to bring about the changes which will ensure that no more lives will be blighted or lost. I have not seen that contribution to date.

The leaders of the political parties in this Chamber (John Hume, David Trimble, Gerry Adams and David Ervine—all of them) have taken risks when it was necessary, risks to move away from past attitudes. They have seen the option of sticking with past attitudes and where that has brought the community. I do not need to illustrate it; we have seen it all around us for the last 30 years. They have seen this and have taken the option of taking risks, moving forward and changing the face of this community. This is why, as Danny O'Connor said, "We are where we are and not where we used to be".

May I remind the pro-agreement parties that we need to rededicate and recommit ourselves to what we signed up to and what the people supported:

"We, the participants in the multi-party negotiations, believe that the agreement we have negotiated offers a truly historic opportunity for a new beginning. The tragedies of the past have left a deep and profoundly regrettable legacy of suffering. We must never forget those who have died or who have been injured, and their families. But we can best honour them through a fresh start, in which we firmly dedicate ourselves to the achievement of reconciliation, tolerance, and mutual trust, and to the protection and vindication of the human rights of all.

We pledge that we will, in good faith, work to ensure the success of each and every one of the arrangements to be established under this agreement."

What we need to do is to concentrate on the commitment we have made and ensure that we deliver on it. Each of us needs to concentrate on what we can deliver, not what the others must deliver.

We have firmly committed ourselves to achieving mutual trust. Decommissioning has been raised time and time again. The issue of decommissioning is about establishing mutual trust. It is about building

confidence. To rephrase a statement made by the late John F Kennedy, it is not about what we can do for ourselves but what we can do for others. It is about what we can do for the agreement and not what the agreement can do for us.

The agreement is the people's agreement. I have not heard people from either side of the community saying that they are desperately concerned about decommissioning. Of course decommissioning is an issue, but what people are really desperately concerned about is that this agreement should be made to work and that it should be implemented as agreed. That means everyone playing his part in achieving that.

Finally, I want to see decommissioning. My party wants to see decommissioning. The people want to see decommissioning, and I want to ask the Democratic Unionist Party in particular how they are going to bring about decommissioning outside of this agreement which they are opposed to and which they want to see ended. How are they going to do it? It has not been achieved in 30 years.

Seamus Mallon rightly said this morning that the only vehicle we have for bringing about decommissioning is the Good Friday Agreement. If we want it to happen then each of us will play our part in implementing that agreement, in building the necessary confidence and trust to make sure that we can implement it. We cannot implement it and work together in a government where that trust is not built. It is a matter for each of us to build each other's confidence.

I leave Members with those thoughts and support the motion as another step in implementing the will of the people of Ireland and the people of Northern Ireland.

**Mr Paisley Jnr:** A number of questions arise out of this debate today. A number of questions must be heavy on the minds of Members, no matter what section of the Assembly they come from.

Is Northern Ireland ready for self-government? Of course, every democrat would say that Northern Ireland deserves self-government. Northern Ireland should never have lost its own parliament in the past. It should never have lost the opportunity to govern itself and the citizens of Northern Ireland. However, with that question comes a solemn responsibility. What type of self-government does Northern Ireland want? What type of self-government does Northern Ireland deserve?

In the report offered by the First Minister (Designate) and the Deputy First Minister (Designate) there is nothing resembling good and stable government for the people of Northern Ireland. My Colleague Sammy Wilson went through the report looking at each Department and pointing out the ramshackle

arrangement of the various Departments. It does not make sense.

It is not only the Democratic Unionist Party that has taken this view about the structure of government in Northern Ireland.

Leading members of the Ulster Unionist Party, people such as Ken Maginnis, have said that this is the worst example of snouts in the trough—old Fianna Failism—politics that he has ever seen. Other leading Members, who could by no means be described as belonging to the “no camp” of Unionism, have said that it is a waste of £96 million of Government resources. If that is their view—and they are in favour of the agreement—then how can they expect my party, which is critical of this report, to agree with its contents?

Just this morning, Mr Trimble’s office passed around corrections to pages that were not in the original report. The accurate report shows us the way in which this oligarchical structure has been designed. Indeed, in the Office of the First Minister (Designate) and the Deputy First Minister (Designate) there are something like 27 areas of responsibility—three times the size of any other Department. They really trust their friends, you know! They are not prepared to dish out any of this responsibility to anything, to anyone, or to any other Member, even to those in their own party.

The only other Department which comes close, with 14 areas of responsibility, is either John Taylor’s or Reg Empey’s Department—the Enterprise, Trade and Investment Department—and there will have to be a political carve-up in that one. Mr Trimble’s Office has responsibility for freedom of information. Imagine that, when it cannot even arrange for this information to be disseminated among Members in good time.

Going through the report, many Members, including Eileen Bell of the Alliance Party, dwelt heavily on the issue of consultative—

**Mr Haughey:** The logic of Mr Sammy Wilson’s intervention was that there should really be only one Department of Government. The logic of Mr Paisley’s intervention now appears to be that there should be 143 Departments of Government since each Government Department, as set out in the report, is packed with far too many responsibilities.

**Mr Paisley Jnr:** The Member for Mid Ulster is just being silly. He should listen to what some of his Colleagues in his new coalition shadow Executive have been saying—one of the Back-Benchers in the Ulster Unionist Party made it clear that with six Ministers in Northern Ireland, we would have three too many. Three could perform the task of administering Northern Ireland adequately. This is the view of the people with whom he wishes to share power.

With regard to the consultative Civic Forum, the share-out of responsibilities is unbelievable—our largest industry gets a minority position on this body. The voluntary/community sector—that sector of failed or aspiring politicians—gets the greatest number of representatives in Northern Ireland. That is a shame, and this consultative Civic Forum will be a waste of space and a waste of resources. Northern Ireland will have about 168 legislators and advisors when other areas of the United Kingdom, which are considerably larger, will have less than half that number to administer those areas.

On ‘Good Morning, Ulster’ this morning, Mr Trimble said that this was not a significant day by any means and that today’s vote does not really matter. If this is such an insignificant vote, why can the Ulster Unionist Whips not lay off their Members? Why can they not say that today there will be a free vote for all of the Ulster Unionist Members? I would like to see just how many would vote for this report then. In their election manifesto the Ulster Unionists made a very straight commitment—they said that they did not wish to sit in a Government with unreconstructed terrorists. This report will usher those very unreconstructed terrorists into government, as Mr Weir said earlier today, and I agree with his view.

The euphoria of 1998 is evaporating—we can see that all around us in Northern Ireland. Look at the recent poll findings in the ‘Belfast Telegraph’. A total of 84% of respondents said that they wanted the decommissioning of all terrorist weapons immediately. A massive 93% of Protestants, and almost 70% of Catholics, said that they wanted decommissioning to start straight away.

5.15 pm

I notice that Ms Rodgers, who is a touchstone of Unionist opinion, does not seem to know that 70% of the community that she comes from want decommissioning right away. On day four of this survey it went on to say that four out of five people—over 83% of the population of Northern Ireland—want the early release of prisoners stopped. This deal is currently unravelling, and it is doing so on issues that we predicted.

Then, of course, there are the negotiators of the Belfast Agreement who told us this was the best deal possible but who are now running away from that deal. People such as Ken Maginnis, who boasted that he had negotiated the Police Commission for Northern Ireland, last Friday distanced himself from it and said he wanted nothing more to do with it. If that is the best they can offer us, dear help this country.

The Secretary of State should realise that what she sows in Northern Ireland she will reap, not just in



Northern Ireland, but right across the United Kingdom. She will reap what she sows when people bow not to democracy only to terror and she realises that, as has been happening in Northern Ireland for too long, coffins are being put in the ground across the entire United Kingdom. Instead of leading us towards a situation where peace ought to come about, this Government is taking us back to a situation where peace can never come about.

I listened carefully to many of the speeches. Mr Trimble said there were functions missed out of the 18 January report, and it has taken until now to include them. Of course there were functions missed out. The most glaring omission in this report is the absence of any mention of decommissioning—it has not got a look in. Mr Trimble must have been really embarrassed yesterday whenever he was shown up by Bertie Ahern who dared to mention decommissioning, while he has been running away from it and not daring to mention it in his reports.

The Deputy First Minister (Designate), Mr Mallon, said that we have overcome the difficulties. The only reason he is able to say that the difficulties have been overcome is that he has avoided including decommissioning in this report; he has avoided grappling with that issue; he has avoided tugging that little flower that he said he wanted to tug.

**The Deputy First Minister (Designate):** Will the Member give way?

**Mr Paisley Jnr:** The Member's Colleague tried to interrupt me. I wish I could give way, but I have only two minutes left.

Mr Mallon also said—and I quote him directly—

“Outside of this agreement there is no prospect of decommissioning.”

The reality is—and I speak to you solemnly today—that within this agreement and this report there is no prospect of decommissioning either. Everyone must face that reality—and I wish we all could. There is not the slightest chance of our seeing decommissioning coming out of this report or this agreement.

Mr Farren, in his little gambit to be a Minister in Northern Ireland, said that there was no alternative. There are countless alternatives to this agreement but none which will suit the Provisional IRA, and that is why Sinn Féin/IRA are for this agreement. That is the reality. There is no mention of decommissioning in this report.

I say to the Back-Bench Unionists that they should not put their faith in Bertie Ahern; they should not vote for this because Bertie Ahern says he will give them some support further on down the road. They cannot trust his words. They should not put their eggs in Bertie

Ahern's Fianna Fáil basket; they should put them in the basket of Unionism; they should stay with Unionism today and give it the endorsement it requires.

**Mrs Nelis:** Go raibh maith agat, a Chathaoirleach. I was absorbed in the Reverend's young son's rhetoric.

I want to address Section 5 of the report which deals with the setting up of the Civic Forum. Sinn Féin subscribes to and supports the setting up of the Civic Forum. We have made constructive and positive inputs through our full and active engagement in the working party set up to bring forward proposals to the First Minister (Designate) and the Deputy First Minister (Designate). Over the weeks of its deliberations Sinn Féin brought forward comprehensive proposals for the setting up of a Civic Forum. During those deliberations we flagged up a number of concerns such as representation, nomination bodies, remit—all the issues which have the potential to make the Civic Forum a truly representative body reflecting civic society.

We were concerned lest the Civic Forum become a performing poodle. We note that some of our concerns have been addressed in the final report. However, we are disappointed that this report today contains fundamental flaws and falls far short of producing a body that will address the democratic deficit and its effect on civic society that 50 years of Unionist misrule and 30 years of direct British misrule have given us.

Sinn Féin believes that our proposals for the development of a Civic Forum would address the democratic deficit, complement the work of the Assembly, add to the quality of decision-making and be not only consultative but innovative as well. Sinn Féin set out proposals which we hoped would impact on civic society by structuring the Civic Forum in such a way that it would provide the potential for establishing a new relationship between people and politicians—a bridge from the community to the Assembly.

In the working party we argued for quality time for the Civic Forum, more and wider consultation, equality of representation, the core principles of accessibility, transparency and accountability. We promoted and encouraged the concept that the Civic Forum, by embracing core democratic values, could become a dynamic body influencing and contributing to the process of real change.

Our proposal for setting up Comhdháil an Phobail, the people's forum based on constituency panels connecting directly with local Assembly representatives, had the overall aim of providing an effective and expert structure to the Assembly on development, policy performance, legislation and administration. We argued and will continue to argue that such a structure would be preferable, in terms of democratic participation, to an exclusive and



predetermined clutch of organisations designed to meet the needs of the First and the Deputy First Ministers (Designate) in meeting the needs of civic society. Constituency panels would also ensure an effective mechanism, not only for equality proofing and maximising representation, but also for providing a sound basis for debates, drawing upon the knowledge of those who are expert in any given area of discussion.

Some of our concerns have been addressed in the report, but there are still areas where we have serious misgivings. We argued in the sub-group for a further period of more extended consultation to address the concerns and the suspicions in the broader community that the Civic Forum would be nothing more than a body of the great and the good, already well represented in civic society—a sort of Trimble and Mallon fan club.

Despite these concerns Sinn Féin has struggled to uphold the principles which underpin the agreement and to devise mechanisms for developing the Civic Forum which are consistent with the core principles of equality, accessibility, transparency and accountability. It is for those who have participated in the formulation and endorsing of the report to explain, not only to the Assembly but also to the pro-agreement public, how precisely this report can overcome the inherent and fundamental flaw which gives ultimate control of selection, remit and representation of the Civic Forum to the First and Deputy First Ministers (Designate). No matter what the recommendations of the sub-group, the invitation to the umbrella groups, the process of selecting the voluntary community sector, the public advertisement, appointments, and so on, at the end of it all the First and Deputy First Ministers (Designate)—not the Assembly—will hand-pick 60 individuals. This will be a double-edged sword for them. In terms of equality proofing the buck stops with the First and Deputy First Ministers (Designate). Despite the fact that it allows for review after a year in terms of the Civic Forum delivering what everyone expects of it—participative democracy—this report falls far short of such expectations.

**The Initial Presiding Officer:** I know that we are getting well on in the day, but I would appeal to Members to give this Member the same good hearing that has been given to most other Members. If Members wish to have conversations they should slip out for a minute or two to do so.

**Mrs Nelis:** In this report, democratic principles are secondary to the opinion of the First Minister (Designate) who, it seems, never wanted a Civic Forum. When it was written into the agreement the First Minister (Designate) hoped that his inactivity and hostile approach to it would make it disappear—like other issues in the agreement which he did not like, but signed up to. But it did not. Indeed, the UUP's

submission contained in the synopsis to the working party says

“keen on the business community being represented, but conscious that however worthy bodies such as the Institute of Directors do not fully represent the business community. Keen on Chambers of Commerce and Chambers of Trade as having a role.”

Could this be crony corporatism? Not exactly a recipe for democratic participation, nor does it reflect equality, which is to become the responsibility of the Office of the First Minister (Designate) and Deputy First Minister (Designate).

The DUP, the party that said “No” and continues to say “No”, refused to participate in the working party. It was scared that it might learn something about democracy, which it keeps shouting about here. It is called political cowardliness.

A Chathaoirigh, I raised my party's concerns during working party meetings that the submissions made to the First Minister (Designate) and the Deputy First Minister (Designate) represented a narrow cross-section of civic society. I raised the issues of quangos, which are actually given the authority to nominate members to the Forum. I asked time and time again for consultation to be extended to incorporate the opinions and ideas on the Civic Forum of marginalised and excluded communities. This report does not accommodate such communities, unless the additional six representatives which the First Minister (Designate) and the Deputy First Minister (Designate) have slipped in, outside the recommendations of the sub-group, will be drawn from those excluded by the report—for example, ex-prisoners, travellers, grass-roots community economic organisations, human rights groups and victims of state violence.

It is more likely that the additional 10% of the Forum, the magnificent six appointed by the First Minister (Designate) and the Deputy First Minister (Designate), will be the friends of friends—the great and the good; a Civic Forum quango in what is supposed to be a consultative body.

Nevertheless, the Civic Forum will be set up, and we in Sinn Féin will give it our critical support. It will be up to the First Minister (Designate) and the Deputy First Minister (Designate) to demonstrate that the Civic Forum will be explicitly, directly and systematically equality-proofed. Sinn Féin will continue to press for a Civic Forum which will be truly democratic and inclusive.

I would like to end with the words of the great poet Robert Frost:

“The woods are lovely, dark and deep,  
But I have promises to keep,  
And miles to go before I sleep.”

This report has miles to go.

Go raibh maith agat, a Cheann Chomhairle.

**Mr A Maginness:** Recently I received a card which showed the monument erected at Messines to commemorate the fallen Irish soldiers of the First World War. The interesting thing about those soldiers was that irrespective of whether they came from North or South, or whether they were Catholic or Protestant, and although they fought in the one army, they fought for different political objectives and from two different political perspectives. A further interesting thing about the card was the name of the group that designed this monument, and I know that the Member for North Down, Sir John Gorman, was actively involved in that design.

5.30 pm

It was called the Journey of Reconciliation Trust, and it struck me today that we are also on a journey of reconciliation. Without that key goal in mind, the Assembly will fail because it exists, not for our entertainment or for political point scoring, but for the creation of genuine reconciliation in this society. The report is an attempt to create a structure and a network in which reconciliation can take place. We have constructed an Executive that has built into it power-sharing between the two communities and among all the Assembly's political parties.

We have a unique opportunity to develop that theme of reconciliation. Today is a good day for reconciliation because the report provides a vehicle for that. I note the sneers from DUP Members when I mention reconciliation. I am used to that and to the negativity of the DUP. Its corner of the Chamber should be called "No corner" because the DUP represents the biggest negative in our politics. Its attitude to the report entirely reflects its negativity. Its Members are the no-men. They are going nowhere and they live in a political nowhere land.

The speeches by Mr Paisley Jnr and Peter Robinson reminded me of a drowning man clinging to the political wreckage of failure and abstentionism that represents the DUP. The Members who support the report represent hope and reconciliation for this community—

**Mr Paisley Jnr:** Will the Member give way? *[Interruption]*

**Mr A Maginness:** Listen to them. They illustrate the negativity that I and others, including David Ervine, have highlighted. The debate ended— *[Interruption]*

**The Initial Presiding Officer:** Order. Mr Maginness may be able to deal with these interruptions, but they are disturbing for everyone else. Are you prepared to take the intervention, Mr Maginness?

**Mr A Maginness:** No. *[Interruption]*

**The Initial Presiding Officer:** Order. The Member has made it clear that he is not taking the interventions. I therefore ask Members to let him proceed.

**Mr A Maginness:** The debate ended around 2.30 pm after David Ervine's—

**Mr Campbell:** On a point of order, Mr Initial Presiding Officer. Is it in order for Alban Maginness to lambast Members in this corner for being negative? When I was speaking I gave way to him, and he adamantly refuses to give way to anyone on this side.

**The Initial Presiding Officer:** As you know, it is in order for a Member to try to intervene and not to give way.

**Mr Wells:** Mr Maginness will recall that I gave way to him during my previous speech. The Member speaks about negative approaches. Does he remember that it was his party which boycotted the Assembly from 1982 to 1986? It also boycotted the Forum, the Police Authority and Stormont in 1969. Which is the negative party in the House?

**Mr A Maginness:** I am talking about a situation where we all have an opportunity to rebuild this community. The DUP is not taking that opportunity because it is so negative in its attitude to everything at present. And the problem for some people is that they made a mistake about a year or 18 months ago when they refused to go back into the negotiations. Now they are left in a situation in which we have an agreement which has the support, not just of the political parties that signed it, but of the vast majority of people in Northern Ireland, and, indeed, in the whole of Ireland. Their boycott, negativity and abstentionism have brought them into the cul-de-sac that David Ervine has rightly described them as being in, and they cannot get out of it without losing face. But if they had had a leadership that was brave enough and imaginative, they would have got out of it long before now.

The people who are giving leadership in the community are Seamus Mallon and David Trimble. Through today's report they have provided— *[Interruption]*

I am not surprised at this layabout attitude coming from those Benches. The problem with them is that they have narrow minds, and worse than that, they have withered hearts. They have neither the bigness nor the generosity to get on with rebuilding the community and trying to repair its divisions and wounds.

Today we have a report that provides a way forward. It creates institutions of government that are innovative and imaginative. The Department of Social Development, for example, will do much to help a community that suffers from multiple deprivation. The

creation of a Department for Regional Development will do likewise, in terms of developing our resources in the community and providing a new infrastructure as we approach the new millennium.

In addition, we will have a Department which will ally Higher Education with Training and Employment. That is innovative and a major step forward. We will also have a Department of Enterprise, Trade and Development that will create a new basis for industry and commerce in the community. And that is what we need because the public sector here, which employs 40% of the total workforce, is too big. By developing an alternative enterprise-based economy and culture here we can do much to develop our human resources and physical and natural resources.

That is why this is a good day for the people of Northern Ireland. Members who sneer at this report have nothing at all to put in its place. This report provides us with a common way forward. It provides the basis for sufficient trust in the community, and all the major political parties here who are dedicated to rebuilding the community can help to build on that together.

Many Members have talked about time running out, about there being little hope and about people despairing. Between little hope and despair there lies an ocean of opportunity. We have that ocean of opportunity. Let us now embark on that journey of reconciliation, through that ocean of opportunity, and provide for our children in the years to come.

**Mr Carrick:** I will first pick up on a comment which the Deputy First Minister (Designate) made this morning. I was quite mystified when he referred to the fact that there would be no decommissioning outside of the agreement. I wonder if the thought ever crossed his mind that a straightforward solution would be simply to do the proper and honourable thing: renounce terrorism as a means of obtaining a political objective, dismantle the war machine and disband the terrorist organisations and decommission all the weaponry. Sometimes we are guilty of overlooking the obvious, but I would have thought that that was a fairly obvious solution to the problem.

Comment was also made today in relation to democracy and the core democratic values that we all should be embracing. I remind Members that the graves of the murdered cry out this evening for justice and for equality. No doubt this evening the families of the victims marvel at the hypocrisy of some Members' contributions today.

As elected public representatives, we have a duty to provide stable and credible government for the citizens of Northern Ireland, and the establishment

of a local accountable Assembly is an objective that all democrats can identify with. And the machinery for achieving that consists of free and fair elections. The problem is that, as a result of the Belfast Agreement and the subsequent legislation, which the DUP opposed, we have a mongrel form of Administration. This hybrid system of government was of course devised to placate Republican terrorists and other terrorists who want to have their cake and eat it.

To put it another way, those wedded to terrorism succeeded in the talks process in duping the other negotiators by pretending to follow the democratic path, yet they had no intention of abandoning the terror tactic. Hence, today we have a report brought about by an agreement, the aim of which is to accommodate unrepentant terrorists and which is designed to ensnare Unionism in a web of Irish Nationalism, leading eventually to a united Ireland.

The whole exercise of establishing local accountable democracy, as envisaged in this report, is seriously flawed, operating, as it has to, on the basis of the Belfast Agreement. And it lacks democratic credibility while representatives of terror remain in the Chamber of democracy.

At the weekend I heard Members express fears about a retreat from the agreement and its possible consequences. But I have never heard the same passionate calls for a retreat from terrorism, punishment beatings, the tools of terrorism, or the threat of terrorism. Democracy cannot afford to be polluted by terrorism or the threat of terrorism which this report contains. Those who believe in the purely democratic process have great difficulty with the diluted system incorporating pretend democrats and unrepentant terrorists.

Another element of the Belfast Agreement is the establishment of the consultative Civic Forum. This is another deviation from true democracy. The system of appointees and the concept of quangos are contrary to proper accountable democracy. There is no substitute for democratically elected public representatives. The Belfast Agreement, however reprehensible it is, makes provision for such a Civic Forum, and, with all its intrinsic weaknesses, that will become a reality.

*5.45 pm*

It must also be said that, as far as consultation with groups and individuals is concerned, the facility is normally afforded to Government committees to access information and expertise by meeting such delegations as and when required.

I must also state that no Member has a monopoly on wisdom, knowledge or ideas. There are valuable



contributions to be made by those outside this Chamber from all walks of life.

The Civic Forum, under the Belfast Agreement, is a *fait accompli*. It is essential, in the interests of fairness, equity and justice, that representation on such a body should reflect the community as much as possible, but it is questionable whether such fair representation can be achieved under these proposals.

First, according to the proposals before us, the health sector, which is vital in Northern Ireland, is not to be represented. As my Colleague Gregory Campbell pointed out, there will be no representation for local government either. Secondly, nominations by the First Minister (Designate) and the Deputy First Minister (Designate) are a further manifestation of the undemocratic nature of the proposed forum. Thirdly, the appointment of the chairperson to the Civic Forum by the First Minister (Designate) and the Deputy First Minister (Designate) is further evidence of the manipulation and the contrived democratic process that we have to experience. Fourthly, the victims of terrorism are clearly going to be under-represented in the Civic Forum and will once again find themselves victimised and discriminated against.

Hence, we will have, under these proposals, a defective and deficient Civic Forum, a conclusion that is inevitable for all true democrats, especially given the other elements of the report and particularly the absence of any reference to decommissioning or dismantling of the Irish Republican war machine.

I appeal to my Colleagues in all shades of Unionism to vote against this report. This report, if adopted, will be damaging not only to the Unionist position but to the Union itself, and I will be voting against it.

**Mr McElduff:** Go raibh maith agat, A Chathaoirleach.

Cuirim “fáilte cháilithe” roimh an tuairisc seo. Is é brí mo chuid cainte go gcaithfear leanstan ar aghaidh ar an toirt—gan mhoill—leis na forais atá luaite sa ChomhAontú.

Ar chlúdach an ChomhAontaithe deirt sé “Baineann an doiciméad seo le do thodhchaí. Léigh go cúramach é, le do thoil. Is é do chinneadh féin é.” Thug 85% de mhuintir na h-Éireann a dtacaíocht don ChomhAontú sin.

Ritheann sé liom ó am go h-am nár léigh roinnt Ball den Tionól an ComhAontú fiú féin. Ní thuigeann siad aon chuid den mhéid atá le rá aige faoi dhímhíleatú agus faoin ghéarghá leis an chéad chéim eile a ghlacadh sa phróiseas seo—níor mhaith leo é a thuigbheáil, a ba chóra a rá.

This week will be crucial for the peace process. We will be voting on the report to set up the 10 Assembly

Departments and the all-Ireland bodies, which are long-awaited and overdue. There should be no further delay in establishing the shadow Executive and the all-Ireland Ministerial Council in preparation for the devolution of power at the beginning of next month. Towards that end, Sinn Féin will give its support, qualified though that may be, to the report from The First Minister (Designate)/An Chéad Aire and The Deputy First Minister (Designate)/An Leas-Aire.

I look forward to working closely with those in the Culture, Arts and Leisure Department and to ensuring that the provisions of the agreement with respect to Irish language and culture are developed to their full in the spirit of mutual respect and cultural diversity. Similarly, I look forward to the establishment of the North/South implementation body with the principal function of promoting the Irish language.

Go n-éirí go geal leis na h-iarrachtaí seo, agus guidhim rath agus bláth orthu.

In relation to the system for nominating Members to the Civic Forum, I hope that victims of British state violence will be given a strong voice, because this category of victim has been denied a voice for too long. There must be an equivalency of victim status, an equality of grief, and an equality of memory. There must be no hierarchy of victims, no distinctions drawn between those, on whatever side, who have died because of this conflict.

I expect that when it comes to nominating sporting appointees to the Civic Forum the Gaelic Athletic Association, the largest sporting organisation in this country, will be given due recognition for its contribution and importance in every county the length and breadth of this island, and for its contribution to society generally. If the Sports Council does not see fit to nominate someone from a Gaelic athletic background then I hope that the First and Deputy First Ministers (Designate) will nominate such an appointee.

We should be getting on with our work. Anxious communities are waiting with bated breath for a more considerate, more local, more relevant and understanding policy approach to many issues. This can be done only by politicians who come from this country and not from England, Scotland or Wales.

In relation to hospitals, the Health Service, rural schools and, as we approach the new millennium, the issue of connecting rural homes to a water supply, I look forward to working with the Department for Regional Development. Those are crucial issues on which English, Scottish and Welsh Ministers have never done a proper job. Let us do a proper job on those matters because we understand our own country best. Let us remember that we have to give political and institutional effect to what the people have said.



Eighty-five per cent of the people of this country have voted and endorsed the Good Friday Agreement.

Go raibh maith agat.

**The Initial Presiding Officer:** The sitting is now suspended. We will resume—*[Interruption]*

**Mr C Wilson:** On a point of order, Mr Initial Presiding Officer. Will you deal tomorrow with an issue under section 10(2) of the Standing Orders on the conduct of Members in the Chamber? It was touched upon earlier, but I should like to return to it tomorrow at your earliest convenience and to ask whether you think that it is proper for a Member to bring into the building, and into the Chamber, a component part of an explosive device. If it is acceptable and if you think it appropriate, will you refer the matter to the shadow Commission to consider how Members are searched on entering the building? It is a matter for grave concern that any Member could bring into the building and into the Chamber part of an explosive device.

This is not a matter to be dealt with lightly. I said at a meeting of the Committee to Advise the Presiding Officer that I thought that it might be necessary for all Members on entering this building to be searched if a breach of security took place. I believe that this matter should be returned to at some stage in the future, and I would welcome your views on it.

**The Initial Presiding Officer:** I would like to respond to that point of order, as it may obviate the need to respond to others. If it does not, I will take the other points of order in turn.

As far as the matter raised by Mr C Wilson is concerned, I have asked for, and have already received, a preliminary report, which I will read after the suspension of today's sitting. It is likely that I will wish to return to this matter tomorrow. Does that answer all the points of order?

**Mr McElduff:** May I ask that the firearms held by other Members be left outside the building?

**The Initial Presiding Officer:** I am surprised to find that you are unaware that since the first sitting of the Assembly, there has been an armoury at the entrance to the building, and that all those who—

**Mr McElduff:** That means the Members opposite — all the Unionist Members' weapons.

**The Initial Presiding Officer:** The Member may wish to be cautious about the comments he is making. As regards this particular matter, all those who work in this building, including civil servants who were not Assembly staff but who were in the building in the early days of the Assembly's life, were asked to place any weapons they held in the armoury. Also, anyone who is not a Member of the Assembly—and that has included some very senior people—must submit themselves to an examination on the way in. This is not the case for Members, and the point that the Member for Strangford is making is that we should consider whether this should also apply to Members. Everyone else has to go through the security devices.

I emphasise that Members bringing firearms into the building are requested, on their honour, to place these in the armoury—a request which has been set out in various documents. Members can then pick up their firearms when they leave the building. I am a little disappointed to see that this is not common knowledge, as it has been pointed out on a number of occasions before.

I appeal to Members to observe this. If there is a general feeling among Members that they should not be excluded from the search procedures, this should be communicated either to party Whips or to members of the Commission. The matter will then be raised at a subsequent meeting of the relevant bodies.

**Rev Dr Ian Paisley:** Further to that point of order. In previous Assemblies, the procedure you have outlined was operated very successfully, but I feel that it should be put on record that if a person brings an unlicensed weapon into the building, that will be a different matter. In the past, each Member had to produce his certificate, and that should be the rule today, especially as the Government are prepared to allow people to carry unlicensed weapons.

**The Initial Presiding Officer:** The regulations are there. To my knowledge, they have been used in the case of a small number of Members.

I will return to the other matter tomorrow.

*The sitting was suspended at 5.59 pm*



# THE NEW NORTHERN IRELAND ASSEMBLY

**Monday 8 March 1999**

*The Assembly met at 10.30 am (The Initial Presiding Officer (The Lord Alderdice of Knock) in the Chair).*

*Members observed two minutes' silence.*

## PRESIDING OFFICER'S BUSINESS

**The Initial Presiding Officer:** The Committee to Advise the Presiding Officer, in making preparations for today's sitting and appreciating the number of Standing Orders to be considered, and with a significant number of amendments likely, requested me to write to the Secretary of State asking that her previous determination that the Assembly would be able to meet until 6 pm on 9 March be extended to 10 March.

The Secretary of State has replied as follows:

"By virtue of Paragraph 1 of the Schedule to the Northern Ireland (Elections) Act 1998 it falls to me to determine where meetings of the Assembly shall be held, and when. In my letter of 26 February, I directed that the Assembly shall meet at Parliament Buildings, Stormont at 10.30 am on Monday 1 March until 6 pm on Tuesday 9 March. Having considered your letter of 1 March, I withdraw that direction and now direct that the Assembly shall meet at Parliament Buildings, Stormont, at 10.30 am on Monday 1 March until 10 pm on Tuesday 9 March. I will consider making a further direction as respects this period, in particular in the light of any indication I may receive as to the wishes of Assembly Members after the Assembly has begun to meet."

The House needs to be aware that there are some 71 Standing Orders to be approved. In respect of item 3, the motion to take note of the report, I have received one amendment. However, in respect of item 4, the compendium of Standing Orders, there are some 87 amendments to be considered.

It is impossible at this stage to be sure how long these will take, but as we only have until 10.00 pm tomorrow, unless there were a different determination from the Secretary of State, Members may find as today proceeds that it will be difficult to complete business if the sitting is suspended at 6.00 pm today. Therefore I will take soundings, during the procedures this

afternoon, through the usual channels to see whether the Assembly wishes to continue to meet into the later part of this evening and also tomorrow, or whether it wishes to suspend at 6.00 pm this evening, resume at 10.30 am tomorrow and sit until 10.00 pm, or as late as is necessary. I will take soundings on that as it becomes apparent what we need to do.

**Mr Paisley Jnr:** Is it in order for the Assembly to congratulate Northern Ireland racing ace Eddie Irvine on his magnificent victory in the early hours of yesterday morning in the Australian Formula One Grand Prix? Over the first months of 1999 we certainly have seen sporting excellence

**The Initial Presiding Officer:** Order. The Member has gone substantially beyond a point of order. As he knows, it is not in order for the Assembly to vote on a matter on which a motion has not been tabled in due time. It would be surprising if some personal messages of congratulation were not sent. If the Member wishes to table a motion on the matter he is perfectly at liberty to do so.

At the sitting of Monday 1 March Mr David Ervine asked me to rule on the definition of fronting paramilitary organisations. I have reviewed the relevant extracts from Hansard and have nothing to add to my ruling at that time.

I should like to advise the Assembly on the procedure that I intend to follow on items 3 and 4 on the Order Paper. Item 3 is a relatively straightforward motion to take note of the report by the Committee on Standing Orders. After it is moved by the joint Chairs, I will take an amendment to it before inviting Members to address the general principles of the report. The amendment is for a general tidying-up — if I might put it in that way — and takes the form of a resolution on how the Assembly would treat the subsequent compilation of Standing Orders. I will take that at that time.

Because the report and the motion on it is not a change to Standing Orders, of itself it should not require cross-community support. However, because the amendment proposes to make changes, albeit of a largely typographical nature, to Standing Orders it will properly need to be decided by a cross-community vote. That means that the substantive motion, if the amendment is approved, will also have to be decided by cross-community vote.

Apart from the question of the amendment, I suppose that one might describe the debate as a second-reading type. In such a debate Members can deal with the report's general principles outlined and with any other matters that arise from that.

I shall remind Members of some of what I am about to say at the appropriate point. Item 4 on the Order paper — approval of draft Standing Order — is a substantial piece of business. As I have said, there are some 87 amendments. As Members are aware, amendments can be presented up to one hour prior

to the commencement of the sitting, that is to say, until 9.30 am. Amendments were coming in up to that time. I apologise to Members on behalf of the staff for the fact that it has not been possible up to this moment to provide a full, marshalled list of amendments. That work is in progress, and I trust that a list will shortly be available to Members. I hope that the House will understand that a substantial amount of work was involved.

I have outlined the process that I intend to follow on item 4. We shall take each natural section of the report. Some of those are quite short sections of perhaps half a dozen Standing Orders but other sections are much more substantial, with a considerable number of Standing Orders. However, we shall deal with the Standing Orders as they appear in their natural sections of the report. At each section we shall consider amendments to that section, discuss them in the order in which they are relevant to it, and debate the whole of that section at one time.

We will vote at the end of the debate on that section, and we must vote on each Standing Order. If there are no amendments it will be possible, as in the case of the clauses of a Bill, to take, say, Standing Orders 1 to 4. Strictly speaking, according to the Standing Orders every vote requires cross-community approval. However, if we were to vote on 71 Standing Orders and 87 amendments, about 160 cross-community votes would be required, and that would involve about 40 solid hours of voting. Members will agree that that is not a practical way to proceed.

In the case of Standing Orders that can be taken together because there are no amendments, I propose simply to put the Question and collect the responses. If there is no dissent I shall consider that cross-community support has been achieved. Any dissent on the vote on an amendment or on a Standing Order will allow no option but to proceed to a cross-community vote irrespective of the time that is involved.

When we come to the end of the consideration of the whole compendium of Standing Orders I will take a vote in the full fashion so that we can measure cross-community support for the Standing Orders as amended in the debate. I trust that that is reasonably clear, but I shall try to draw it again to the attention of Members.

**The First Minister (Designate) (Mr Trimble):** I have no objection to what has been said about voting. A process that abbreviates the time spent voting is appropriate. Will there be a separate debate on each amendment? Taking amendments in groups means that there will not be a coherent debate on any one of them. We need to have a separate debate on each amendment.

**The Initial Presiding Officer:** My proposal is to group the amendments according to the grouping of the

Standing Orders. For example, the first group contains a small number of Standing Orders, and there would perhaps be some amendments at that point. I would ask the proposers of the amendments to speak to them in order, and we could debate all those amendments at that point.

If Members wish to proceed in another fashion, there will have to be a debate on 87 separate amendments. That would entail a substantial amount of work, and no matter how late we sit tonight and tomorrow we might have some difficulty in accommodating it. Some amendments would be more contentious than others. Each Member could speak for 10 minutes in moving his amendment, and there is the subsequent response. In that sense each will have to be treated as a separate debate. If I do not treat them as separate debates, Members may speak only once for 10 minutes during the consideration of the whole compendium of Standing Orders. That would be a completely unsatisfactory way to proceed.

If Members are content, we shall proceed to the debate on the report. Members will have the marshalled list of amendments delivered to them in the Chamber as soon as it is completed. I appreciate that Members must proceed to debate the report without having seen the list but the only alternative would be to suspend the sitting, and that could be done only by leave of the House. Unless I hear a proposal to that effect I propose to proceed to item 3, the debate on the report.

## ASSEMBLY STANDING ORDERS

*Motion made:*

This Assembly takes note of the report by the Committee on Standing Orders. —

[Mr Cobain]  
[Mr Haughey]

10.45 am

**Mr Cobain:** The report of the Committees on Standing Orders is in two volumes. The first volume gives the essential detail, the remit, membership, what we did, how we did it and what we recommended, and so on. The minutes are appended.

The second volume contains the recommended Standing Orders. At our last meeting one might have expected that we would have agreed a cut and dried report — not so. The Committee was actively making changes to the report right up to the final bell.



Members should have also received the inevitable errata that accompanies this type of document. I would like to pay tribute to Denis Haughey, my joint Chair, who has done a marvellous job particularly on those occasions, one of which Members heard about last week, when the Committee found itself all at sea. At all times he has shown scrupulous fairness and a concern to keep the Committee together. I would also like to thank the Members of the Committee and the many substitutes.

Standing Orders is not an easy area for many people — indeed, it is not even an interesting one — but it was an essential area that had to be covered. All those involved, including the observers, must have been totally bemused at times. Our thanks are also due to Murray Barnes and Denis Arnold for all their hard work and support.

The Committee first met on 6 July 1998. We have held 22 meetings and, bearing in mind the diverse make-up of the Committee, we have achieved much in bringing together this agreed report. When Denis Haughey and I were elected as joint Chairs of the Committee we resolved to proceed on the basis of consensus, as far as possible. The documents before the House today are there as a result of consensus.

Party size and the voting power that comes with it was not used to push things through. The smaller parties will testify to this and agree that their concerns were taken on board in a fair way. The Committee had its ups and downs, but everyone, including the substitutes, contributed in a constructive and helpful way. In the minutes Members will see that the 19 strong Committee was well attended at all meetings.

We began by looking at the Standing Orders of different assemblies — the European Parliament, the Commons and the Dáil. In the absence of any guidance, we decided that the best basis on which to proceed would be to look at the Orders of the 1973 Assembly. We considered these, armed only with our knowledge of the agreement. We also looked at Initial Standing Orders and considered how we could adapt them.

We reported our progress to the Assembly on two occasions. Of course, all of this was overtaken by the Bill and the need to base many Standing Orders on this. The business of devising Standing Orders by committee is not an easy task. For a time some reliance was placed on officials to get on with the job and consult when necessary. The hastily drafted Bill underwent major amendment, as is usual, particularly during its passage through the Lords. Therefore complete clarity could not be expected until it was enacted. Standing Orders are, above all, procedures. Some of these are prescribed in

the Act. The rest were devised by the Committee after lengthy deliberation.

We have produced 71 draft Standing Orders over a relatively short period. This compares with the Welsh who have drafted their Standing Orders in advance over a year. The Scots are also in the process of doing something similar. The advantage in our case is that we, the elected politicians, will have had a hand in producing our own compendium and that will result in a greater feeling of ownership.

The Standing Orders in the compendium are divided into nine sections dealing with all facets of the Assembly. The first section deals with preliminary matters that must be addressed at the beginning of any assembly. These Orders stick rigidly to the requirements of the Act, and there is little scope for any fundamental change.

The next section deals with the day-to-day business of the Assembly, and it owes as much to an updating of the 1973 procedures as to anything else. The Clerks at Westminster have been consulted on the updating process.

In respect of voting, we have adopted the Westminster-style Division system. This is not to say that we are against modernisation, and we can certainly look at alternatives in the future, but we have decided to opt for what we believe is a tried-and-tested methodology. For the time being, I believe, this is the safest route to take.

The next section deals with legislation. Once again we have proceeded according to the Act, and because this Assembly is unicameral we have decided to build in safeguards. Bills will normally undergo a five-stage process, which will include a full Committee stage, during which the statutory committee will consider the Bill in detail and may, if necessary, take evidence on the matter. In addition, the Assembly will have the opportunity to examine the legislation in detail. Should issues of equality arise, provision has been made for such issues to be referred to a special Assembly committee and, where necessary, to the Human Rights Commission. Again, these are requirements of the Act and of the agreement.

There may be incidences where primary legislation has to be passed quickly — for example, on social security matters where the Assembly will want to maintain parity with Great Britain — and so provision has been made for a process we have called the accelerated-passage procedure, which will enable Bills to be enacted within a relatively short period. However, this very necessary mechanism must not be abused. It should be used in exceptional cases only, and a considerable onus will be placed on Ministers to justify using it at all.

We have also given consideration to subordinate legislation. The agreement envisages a role here for Statutory Committees, and we have had to take account of this. But Statutory Instruments are generally of a technical nature. In many ways, they are best dealt with at a technical level, and we recommend the appointment of an examiner of statutory rules

to assist the statutory committees in this field. We believe that the provisions of these Orders are capable of dealing with the full range of legislation — including financial legislation — that is likely to come before the Assembly.

The legislation section is followed by a short section on Ministerial appointments. You will note that there is no reference in the compendium to the appointments of the First and Deputy First Ministers. There is no need. Where the Act itself stipulates procedures, we have not repeated these in Standing Orders. Members may be surprised at the structure of the Standing Orders in this section, but I should point out that, like other Orders, they must be read alongside the Act. Here we differ from Westminster. The Westminster Parliament is sovereign, and we are not.

The next section deals with Committees. In addition to the Statutory Committees, we envisage having what we have called Standing Committees; examples of these are given in the compendium. These named Committees will include a representative from each party. We believe that in an Assembly of this type this is important.

There will also be other types of standing Committees in the future. These may be less central to what we do, and we recommend that, like the statutory Committees, they have a fixed membership of 11.

We also see scope for a further type of Committee which we have simply called “ad hoc Committees”. Such Committees would be set up to deal with issues over a specified time and would then be stood down; the present Ad Hoc Committee (Port of Belfast) may well be an example. The Committee membership figure of 11 was arrived at following much debate, and the Committee considered using the matrix at the back of Volume 1 of the report — the impact that different sizes of committees would have on parties. We believe that the Chair and Deputy Chairs of Statutory and Standing Committees should be appointed using the d’Hondt system, but it will be up to the Assembly to decide on the appointment of Chairs to ad hoc Committees.

There is another issue to do with committees which I must mention. There is no Statutory Committee for central functions. There could be a non-statutory Committee with powers to call for persons and papers, but the Act does not allow for any Statutory Committee. I could say more about Committees, but time is against me.

The next section deals with order and is self-explanatory. The only point I want to make here is that the Keeper of the House, a functionary whom we equate, in some respects, with the Serjeant at Arms at Westminster or the Captain of the Guard in the Dáil, will not have the full powers that are deemed to be necessary in the Standing Orders until the Assembly legislates on this matter. This should not present any problems.

Last week the Assembly adopted the proposals on Members’ interests. I will say something about that because it is a matter for Standing Orders. Ideally the Assembly should have its own Commissioner on standards. This will be the case in Wales and probably in Scotland, and it would be appropriate here also. The Commissioner would have duties similar to those of the Commissioner at Westminster and would report to the Assembly’s Committee on Standards and Privileges. This committee’s principal officer would be the Clerk of Standards and the custodian of the register of Members’ interests. This is the structure envisaged, but, as pointed out by the other joint Chairman, a deeper consideration of the whole issue will have to await the formation of the Committee on Standards and Privileges.

The last section of the report is called “Other Orders”. It contains two late entries on language and the Commission. The language Standing Order is the briefest in the compendium, and its conciseness belies the time spent by the Committee on it.

The Committee has worked for inclusiveness, as is borne out by its decision to recommend that the much over-burdened Commission be given the assistance that is due to it. We suggest that five-a-side is far too strenuous a game for the elderly quantity surveyors, and we recommend a full team of 11.

**Mr Haughey:** In moving the motion with my Colleague, I commend the report to the House.

**The Initial Presiding Officer:** I understand that Members have not yet received copies of the amendment that is about to be moved. I have asked, somewhat unusually, that the Doorkeepers make themselves available to distribute it in the Chamber. As soon as we have the full list of marshalled amendments, I will arrange to have it distributed as well.

**Mr P Robinson:** I beg to move the following amendment: At the end of the motion add

“and further notes that the Standing Orders, once approved by the Assembly, shall be renumbered where necessary, punctuated and proofed to ensure consistent language”.

As someone who never darkened the door of the Standing Orders Committee, it falls to me to be the first person to welcome the publication of its report. I congratulate the Committee on the very substantial task that it has performed. I would also like to point out that the 70-odd amendments that are down in my name are not meant as a criticism. It is inevitable that any substantial document listing Standing Orders is open to amendment.

Most of the amendments are of a tidying up nature. The amendment to this motion is of a general character, and there is no party-political edge to it whatsoever. It simply allows me to do what it would otherwise have taken

another 200 amendments to do — it is one catch-all amendment.

*11.00 am*

There is a series of punctuation errors and a proliferation of instances where different terms are being used for the same activity. For example, “lodged” and “deposited” both appear, as does “left with” on one occasion, and there are many similar references. There needs to be consistency. And if any of the amendments are passed, or if any of the initial Standing Orders are deleted, there will have to be a renumbering.

I have no emotional capital tied up in the wording of any amendment. They are there to show that there is a gap to be filled or that a change is required. They can be concluded in whatever terms Members wish. I do not know — and this is a question for the Initial Presiding Officer — what the procedure would be in the House if Members wanted to change the terms of an amendment. I know that Members still have not seen the amendments. They may, however, agree with the thrust of an amendment but find its terminology awkward or unsatisfactory. Will they be permitted to table a manuscript amendment, or is there another way of dealing with such a case?

In the last two meetings of the Assembly we have been dealing with matters that are of equal importance to every Member. The normal party political divisions did not take place, the pro- and anti-agreement factions did not take different sides. That should also be the case in relation to Standing Orders. Although some of us may not have recognised it yet, we all have a vested interest in ensuring that the Standing Orders we produce this week are reasonable, fair to everyone and can stand the test of time.

When we propose an amendment to a Standing Order, we do not know whether it will eventually be used in our favour or against us. At this stage we can only judge what is right and proper and create a set of Standing Orders that ensures we regulate our business in a fair and reasonable way.

The amendments in my name, in general, will not need to be debated. Most of them are self-explanatory and I hope they will be accepted. Most of them are meant to be tidying-up measures, but some might be described as probing amendments. It could be that, in debate, the Committee will be able to show that the substance of an amendment has been dealt with elsewhere, in which case I shall be content to withdraw. However, should we discover that the matter has not been dealt with, I will obviously wish to move that amendment.

As I said, some of my amendments are intended to fill gaps. On some occasions these are gaps that we are required to fill by the Northern Ireland Act. Where the Act requires us to bring in a Standing Order on a particular matter, we must do so. In some instances the first draft of the Standing Orders fails to do this. There are also one or two areas where I have raised new issues. Members will take a view on these as they are raised.

I am concerned about the premise that our Standing Orders must be read alongside the Northern Ireland Act 1998 and the Belfast Agreement. This means that every good Assembly Member is going to have to go around with three documents tucked under his or her arm. We could get to the stage where one consolidated document, even if it only imported the language of other documents which are referred to in it, became a consolidated volume of Standing Orders.

As the Standing Orders Committee has recognised, there is an ongoing role for that Committee, particularly in the early stages of any institution, and no doubt after today, as we work through the Assembly, we will have many occasions on which Standing Orders need to be framed, and the Committee will be able to do that. I hope that in doing so it will also attempt to get a consolidated volume.

In moving the amendment, I was not sure if there was some confusion on the part of some of the officials of the Assembly or of some of the members of the Standing Orders Committee about the process that has to be followed. My concern about that arose as soon as I was handed a copy of the list of errata. An errata list is quite acceptable if one gets it along with a report or printed document that is not amendable, but if it is an amendable document the only changes that can be made to it are by way of amendment, and that has to be done in the Assembly.

Indeed, the reason there is an amendment to the take-note motion is to ensure that: no one outside the Assembly can tamper with the end product of our deliberations after Tuesday evening. That can be done only by ourselves unless we instruct somebody specifically to carry out a task in relation to it. So, in case no amendment was moved by the Committee to agree the errata as a change, one of my amendments is to do just that. However, there should have been an errata to the errata, because there were some errors in it.

Other amendments take account of some matters that should have been included. Whether or not there was a misunderstanding about the process, the only change that can take place to the published document is by way of an amendment during the course of this debate or subsequently in the Assembly.

I should indicate that the general issue behind these amendments is to provide the Assembly with a document that does not require to be amended after each meeting of the House. It is undoubtedly the case that we will have to define



further many of the Standing Orders that we are producing or allow the Speaker certain discretion in their interpretations or accept Erskine May or some other volume as a mechanism whereby we can adjudicate on issues not covered by the Standing Orders.

**Mr C Murphy:** A Chathaoirligh, I acknowledge the work done by the Standing Orders Committee and pay tribute to the officials who have serviced that Committee over the last eight months. The task given to the Committee last July was not an easy one in view of the political importance that is attached to the rules which govern the conduct of the Assembly and the diversity of political opinion around the table. An early indication of this came with the number of meetings that it took to elect the people who eventually became the joint Chairpersons.

Further problems were created by the timescale in which we had to complete our business and by the fact that the legislation, which had a direct impact on the Standing Orders, was processing through Westminster during this time. This caused our deliberations to be suspended for at least two of the eight months during which we were sitting.

Despite all that, in the main the atmosphere in the Committee was constructive and businesslike. There was a great deal of agreement on most issues. We were able to reach compromises on many other issues, although it is a matter of regret that compromise could not be achieved on the recognition of the Irish language within the Chamber. That matter will be dealt with by my Colleague.

I should like to deal with an issue that caused great concern to the entire Committee and which is reflected in paragraph 7 of the report. It is the issue of a statutory committee to scrutinise the executive functions of the Office of the First and Deputy First Ministers. When the Committee discussed on 11 February the appointment of statutory committees I raised the question of a statutory committee to scrutinise the executive functions of the First and Deputy First Ministers. On my proposal, the Committee agreed to add the phrase from paragraph 8 in strand one of the Good Friday Agreement which states

“There will be a Committee for each of the main executive functions of the Northern Ireland Administration.”

That became part of the Standing Order. At the subsequent meeting on 17 February, we were informed that provisions in the Northern Ireland Act prevent the establishment of a statutory committee for the Office of the First and Deputy First Ministers because they are not considered to be Northern Ireland Ministers. Standing Order 44 (1)(a) was rewritten to reflect the requirements of the Act, and removed the word from the Good Friday Agreement. The detailed explanations for that are in the appendix to the minutes of the meeting on 17 February.

Therefore the Committee on Standing Orders has been rendered powerless by the Act to provide the Assembly with the range of scrutiny powers of executive functions that was envisaged in the Good Friday Agreement. What can benignly be interpreted as a serious flaw or gap in the drafting of the legislation contradicts not only the wording of the agreement to which it was to give legislative effect, but has serious consequences for the ability of the Assembly to provide completely open and accountable government.

Regrettably, that is not the only derogation from the Good Friday Agreement by the British Government. The flying of the Union Jack on this building today is in direct contravention of paragraph 5 of the section on “Rights, Safeguards and Equality of Opportunity” in the agreement. We intend to bring the matter to the notice of the Secretary of State.

If the full impact of this legislation on the Committees had been evident during the negotiations on the departmental structures in December, there would be considerably fewer functions in the Office of the First and Deputy First Ministers. The only slight relief to be drawn from this situation is that the argument to locate Finance and Personnel in the centre did not succeed.

Important executive functions such as those of the economic policy and equality units, liaison with other institutions, international relations, legislation progress unit, office of the legislative counsel, public appointments policy, freedom of information, victims, Nolan standards, public service office, machinery of government, emergency planning, women’s issues, policy innovation unit and an Assembly ombudsman are not, as it stands, subject to the scrutiny of a proper statutory committee. That should not be accepted by the Assembly.

I have heard it suggested that issues such as equality and community relations could be covered by non-statutory committees, but those do not have the same powers of scrutiny as statutory committees, and those two functions are only a small part of the remit of the First and Deputy First Ministers.

It has also been suggested that a single statutory committee would be inappropriate for such a range of executive functions. The Assembly will note that the recommendation from the Committee on Standing Orders is not prescriptive. If a number of committees are needed, so be it, but it is in the interests of the First and Deputy First Ministers, the Assembly and the electorate to ensure that there is proper scrutiny of all the executive functions of this administration.

The Committee has not proposed how this matter will be addressed or who will address it. It may require an amendment to the Act. If that is the case, the Assembly



should speak with one voice on the issue to ensure that any such amendment is dealt with as a matter of urgency by the British Government.

The Committee has also expressed the view that its work should not end with the adoption of the report, but it may be the best vehicle to ensure that this issue is dealt with satisfactorily. Whatever the decision of the Assembly this is one issue that should not be allowed to go by default, and we intend to return to it as often as necessary until it is resolved.

The adoption of the report from the Committee on Standing Orders, which I support, is another significant step in the preparation of the Assembly for the transfer of powers from Westminster. The way in which the Committee completed its task with every party in the Assembly represented at the table, with many disagreements — sometimes heated but more often in a constructive atmosphere — is firm evidence of the ability of all parties to agree the way forward. It is further progress in the establishment of the institutions that were envisaged in the Good Friday Agreement. There is no reason why that task cannot be completed in the near future.

11.15 am

Sinn Féin does not have a problem with Mr Robinson's amendment. The document was produced in a rush so that the Committee could meet the deadline. Perhaps that is an example to both Governments. It was inevitable that there would be minor flaws in the document, and we are not opposed to the tidying up of its text. Go raibh maith agat a Chathaoirleach.

**Mr Close:** It was eight months ago that we set out to produce this compendium of Standing Orders for the good governance and conduct of the House. Today, let us hope, we have fulfilled that task.

It would be remiss of me, on behalf of the Alliance Party, if I did not extend my thanks and congratulations to the co-Chairmen for assisting all of us in the business of this difficult task. As Mr Cobain has said, the devising of Standing Orders and the drawing up of a compendium of Standing Orders is a somewhat tedious and, at times, rather boring task. Thanks to the co-Chairmen's humour and cohesiveness, we managed to get on with the job and produce a report which, I hope, will receive the support of the House.

I also wish to pay a special tribute to the Clerks, and particularly to Murray Barnes and Denis Arnold, who worked, it is fair to say, far beyond the call of duty. The fact that there are errata is no fault of theirs; rather these are the result of the enormous amount of work that they

were endeavouring to do in meeting rather strict and at times rather false deadlines.

While I have not seen the amendments, their large number gives me some cause for concern. I hope that they are of the nit-picking variety, the tiding-up type which, essentially, reflect the fact that we were operating under strict and difficult deadlines. If some commas et cetera have been left out, that is perfectly understandable.

The Committee would obviously have been well-served if Mr Peter Robinson had found time to come on to it. The Democratic Unionist Party had five substitutes, as well as their three members, over the 22 meetings. They were well-represented. But it would have been very helpful, and it would have facilitated the speedy agreement of the report, if the Member for East Belfast had graced us with his presence on some occasions and helped us not to make so many mistakes. However, since one of the Standing Orders permits me now to use the language of my choice, *errare humanum est* — we are all human, and we all can make mistakes.

Most of today's debate will be taken up by Members who were not on the Committee and who will want to have their say — and that is right — but there are a number of issues that I would like to flag up.

The first one is in reference to Standing Order 3(7), which refers to designation. I recognise that this cannot be changed strictly through Standing Orders — we will have an opportunity to do that if we review the Good Friday Agreement — but we have always felt that designation represents the institutionalisation of tribalism and that having it in Standing Orders does not augur well.

We have flagged up the problems with designation before, and we will continue to do so, with the ultimate goal of having removed the necessity for people to be bunched into the little tribes of Unionists, Nationalists or others. To perpetuate tribalism does not help our society.

The other issue that I want to flag up has already been referred to. It is in relation to Standing Orders 42 to 44, which refer to the statutory committees. I was surprised to learn that the functions Department of the Centre will not be, or could not be, subject to statutory scrutiny. It could be that this omission was an oversight when the legislation was being passed, but I question that. Given the number of amendments that were put forward to the Bill on its passage through Westminster, such an obvious and glaring omission suggests a degree of deliberate intent rather than merely oversight.

If I am wrong — and I have already said that to err is human — the First Minister (Designate) and the Deputy First Minister (Designate) will join with the rest of the Members and ensure that a change in legislation is brought about

quickly so that there can be proper scrutiny by the House of the Department of the Centre.

When we were discussing the various functions to be held by the Department of the Centre it struck some Members that an attempt was being made to suck too many functions into that Department. Efforts should be made either to withdraw some of those functions from the Centre or to bring about a change in the legislation to enable there to be full scrutiny of that Department.

The final issue that I wish to flag up — and I know that some of my Colleagues will be referring to this by way of an amendment — is the number of members on these committees. It is only fair that there should be the widest possible representation of all Members on the committees of the House. Members from four parties will form the Executive, and it is up to the rest of us to scrutinise fully, with the best possible representation, all the functions that are retained by the Executive. For that reason the number of members on the statutory and other committees should be increased, but this will be discussed later.

The overall job was done well. It will stand the House in good stead, and I look forward to the debate on the various amendments when we are able to see them.

**Mr Roche:** While congratulating the Committee on Standing Orders, it does seem that an opportunity may have been lost to remedy what is a fundamental fault in the Belfast Agreement. In the agreement we have on the one side the all-Ireland institutions, the North/South Ministerial Council, the implementation bodies and the Intergovernmental Conference. On the other side we have the Assembly, and the link between those two is the Executive.

The North/South Ministerial Council and, indeed, all those institutions appear to have two fundamental features. First, they are embedded in international law. This means that it is absolutely beyond the competence of the Assembly ever to remove them once they are set up. Second, there is something extremely ambiguous about the functioning of these institutions in relation to the Assembly. Paragraph 13 of the Belfast Agreement states

“it is understood that the North/South Ministerial Council and the Northern Ireland Assembly are mutually inter-dependent, and that one cannot successfully function without the other.”

Whatever that statement means, it does not mean that one cannot function at all without the other. There is a distinction between what someone would perceive as successful functioning and no functioning at all. So this statement does not mean that in the event of the Assembly's being deadlocked or collapsing the institutions would cease to function. That raises the issue of what control the Assembly can have over the all-Ireland dimension of the agreement in the event of these

institutions being established and, in particular, in the event of their starting to function.

The key issue is what control the Assembly has over the Executive, because the Executive is the link between the Assembly and the all-Ireland institutions. There are two points of contact between the Assembly and the Executive in terms of control. One of them is the capacity of the Assembly to vote annually on a programme of government presented by the Executive, and the other potential area of control is through the statutory committees. The problem with the Standing Orders is that they specify that the statutory committees are simply to advise and assist each Minister. In other words, they are to be as weak as they possibly can be.

Once this mechanism is up and running, there will be a fault line between the Assembly and the all-Ireland institutions that means that the Assembly will have virtually no control over the all-Ireland aspect of the agreement, and to some extent the opportunity to remedy that situation has been entirely lost by the Committee.

**Ms Morrice:** I commend the report and the work of the joint Chairmen — Fred Cobain and Denis Haughey — and our very capable Clerks.

A two-day or three-day debate on Standing Orders would not inspire the most intrepid political scientist, let alone our friends in journalism. However, it is important that they stop and read between the lines. This simple, unassuming report is, in fact, a document of tremendous significance as it outlines the rules and regulations that will govern the making or the breaking of new laws in Northern Ireland. The report outlines the procedures to be followed to guarantee that every piece of legislation is in accordance with anti-discrimination, equality and human-rights legislation.

These Standing Orders exist to ensure that every check is balanced and that every balance is checked. It is simply the translation of the Good Friday Agreement and the Northern Ireland Act into the conduct of business on the Floor of the House.

However, there is an important difference. These Standing Orders were agreed by representatives from every political party in the Assembly. In fact, the Standing Orders Committee is possibly the best example so far of all parties working together for the common good. Unionists, Nationalists, Loyalists, Republicans and “Others” sat side by side on the Committee, and together they wrote, rubbed out and rewrote the rules for the operation of the Assembly.

**Mr Boyd:** On a point of order, Mr Initial Presiding Officer. It should be on record that the Northern Ireland Unionist Party did not have a member on that Committee. It had only observer status.

**The Initial Presiding Officer:** That is noted.

**Ms Morrice:** I thank Mr Boyd for that point of order.

Things started to look good from the outset when it was agreed that the UUP and the SDLP should jointly chair the meetings. At almost every meeting there was an obvious sense of people listening to and learning from each other. It surprised the Committee that political adversaries backed each other on several occasions. It has already been mentioned that there was only one occasion on which the deliberations became uncomfortably tense. That was at the second last meeting, about a week ago, when the sensitive issue of language was broached. At the last and possibly the best meeting, there was a very definite sense of compromise and agreement on the need to move forward.

This is our rule book. Mr Cobain has said that we got here by looking at what happens in Parliaments in London, Dublin and Strasbourg and at what happened in the last parliamentary body in Northern Ireland and by choosing the bits that suited us best. We have in this rule book the potential for a thoroughly modern Assembly. It will place human rights and equality at the very top of the agenda, and cronyism at the very bottom. It will be open and transparent and will allow for a system of government which will be a role model for other Parliaments.

*11.30 am*

One great achievement, of which we in the Women's Coalition can feel proud, is the decision to end sittings at 6.00 pm. I was, however, disappointed to learn this morning that a decision could be made to change that, because of the task that is before us, for this sitting. The reason we decided to end sittings at 6.00 pm was that this would represent a family-friendly working day. The problems that have been caused in other Parliaments by the need for Members to stay for late sittings or overnight sittings have been obvious. This applies not just to women with families but also to men with families. We can leave at 6.00 pm and get home to our families, which is very important. In fact, I understand that the Scottish Parliament will be following our lead in this respect.

I am also especially pleased on International Women's Day — and let me repeat, for Members who may not have heard, that today is International Women's Day — to see that the language of the Standing Orders exhibits gender consciousness through the use of "he/she" and "his/her". I am also pleased to note that Members exhibit a similar consciousness when they are speaking in the Chamber.

I have referred to the tremendous potential which the Assembly has to create a unique system of coalition government, which could be the envy of the world. However, it must be based on the principle of inclusion, which means including the smaller parties as well as the larger ones. Those of us in the smaller parties have demonstrated that we are ready to roll our sleeves up and work hard. We should not be squeezed out of Committees to which we can make a valuable contribution by way of constructive opposition and as another voice that adds breadth to their deliberations.

Mr Cobain, in his opening remarks, said that he felt that the concerns of smaller parties had been fairly considered. However, we in the Women's Coalition still have some concerns about this, some of which have already been raised by other Members. Standing Orders 43 to 45 refer to the principle of proportionality in the make-up of Committees which will enable them to reflect party strengths in the Assembly. However, if these Committees are to have only 11 members, this will not happen. Number 23(2)(b) of the draft additional Initial Standing Orders drawn up by the Secretary of State says that proportionality will apply to "each Committee" rather than to "all Committees", as set out in these Standing Orders. Mr Close has said that this matter will be discussed further. Inclusiveness must apply to everyone.

When the Assembly approves this report we will be ready to open for business. The foundations have been laid, and the bricks and mortar are in place. We will have our rule book, and we will be ready, at last, to roll up our sleeves and start working. We have fulfilled our legal obligations under the Good Friday Agreement. It is now up to us to fulfil our moral obligations to the people of Northern Ireland.

**Mr McCartney:** One of the key issues, as identified by a number of Members, is the relationship that will exist between the Assembly and the Executive. It is very evident from its behaviour that another Executive is becoming increasingly indifferent to the views of Parliament and that the influence which can be exercised by elected representatives on the Government is diminishing. Indeed, it has almost become a habit for the Government to release to the media what they intend to do before bringing it to the House of Commons. I therefore share the views and anxieties expressed by some Members about the control, if any, which the Assembly can exercise over the Executive.

From the earliest meetings of the Standing Orders Committee, which I attended, I made it evident that there should be a strong committee system to control, insofar as it can be controlled, the work of the Executive. That is particularly so when one realises that the composition of the Executive in the Assembly is rather different from that in most democracies.

We have consensual arrangements here. Consensual arrangements have certain benefits, and they have particular benefits to those who actually exercise power under those



arrangements. Put bluntly, that power will be exercised by the larger parties, particularly the Ulster Unionist Party and the SDLP, who will have a majority of members on the Executive. Other parties, such as the DUP and Sinn Féin, will have a smaller membership. What is very important is that the activities of the Executive can be controlled — and controlled effectively.

I therefore have a degree of sympathy with the arguments that have been put forward for a committee to control the activities of the First and Deputy First Ministers (Designate). These Ministers will have a great deal of power outside the remit of the specific statutory Committees. It will be a power over a broad range of issues of important and extreme significance, yet, in formal terms, there is no committee to which these Ministers will be directly accountable. I appreciate that there is no statutory provision for such a committee and that therefore it was not within the remit of the Standing Orders Committee to create a committee specifically charged with the supervision and control of the offices of the First and Deputy First Ministers.

I also appreciate that, subject to that omission, it was necessary for the Standing Orders Committee to make whatever arrangements it could for the control of the powers exercised by the First and Deputy First Ministers. Those Ministers represent the two largest parties, and Members must avoid, in an arrangement which is supposed to be a consensual one for the exercise of power, power being effectively exercised by the two largest parties without a formal means of control.

This principle applies whether one is a Nationalist or a Unionist, though doubtless Nationalists would want different objectives controlled than Unionists. Mr Roche has quite properly pointed out some of his worries and anxieties, which I share, about the Executive's role as the link between the Assembly and cross-border bodies and about the general influence by another independent sovereign state on the internal governance of Northern Ireland. Those are very important matters and were quite properly addressed.

I also have a deal of sympathy with the views expressed by Sinn Féin about the absence of a specific statutory committee. Doubtless it would have very different objectives from those which I share with the pro-Union community, but the essential element that Members must ensure is that the Executive come under the control of the Assembly. The Executive must be fully accountable to the Assembly, even if it is engaged in activities considered to be inimical to the objectives of the pro-Union community or to those of a more extreme Nationalist view. It must be under control. I share the view, which has been expressed by some Members, that there should be some change in the legislation to ensure this element of control over the two

Ministers who will, in effect, exercise more individual power than anyone else.

It is a curious anomaly that even the power of junior Ministers — and I am talking not about junior Ministers within the definition of the Act, whom I once referred to irreverently as the ministerial piglets, but about Ministers who will be in charge of the Departments — will be much more limited than those of the First and Deputy First Ministers.

Presumably the First and Deputy First Ministers — representatives of the largest parties — will have the greatest overall input into the preparation of the annual policy document which the Assembly will subsequently be required to ratify as the Executive's policy objectives and functions for that year. They will be at the centre of power.

In terms of a wheel with 10 spokes, all the Ministries will be accountable down to the central hub, which will be the Office of the First and Deputy First Ministers. As the hub of that governmental wheel, they will control the office which is in touch with all of those Ministries, yet that hub will not be subject to any statutory committee, upon which all parties should have representatives, that could have a direct input and exercise direct control over what those Ministers are doing.

In terms of the matters that were raised by Assemblyman Roche, it seems that the area, functions and powers of the North/South Ministerial Council and of the implementation bodies are necessarily painted in rather vague terms. I was amazed to hear the First Minister (Designate), on the radio programme 'Inside Politics', refer to me, saying "Poor Bob does not seem to realise that international treaties are not written in plain language." Mr Trimble ought to know, because if ever there was an exponent of obscure and obscurantist language, of circumlocution, of fudge, of any form of language that is particularly utilised to ensure that his listeners have not got a damned clue about what he is talking about, it is the First Minister (Designate).

A proposal to set up a committee to ensure that the gobbledegook of the First Minister (Designate) is analysed and examined and turned into plain language that not only the Assembly but the entire electorate of Northern Ireland can understand would be well worth implementing. For the benefit of all parties, whether Republican, Nationalist, Unionist or Loyalist, the Assembly should have a degree of control by way of a strong central committee over the activities of those who will exercise more power than anyone else.

**Mr Dodds:** I join other Members in paying tribute to the work of those who have been instrumental in getting the Committee's work to its present stage.



11.45 am

**Mr McCartney:** I omitted to express my sincere praise and commendation for the two Chairmen of this Standing Orders Committee, whose behaviour at the meetings at which I was present was absolutely exemplary.

**Mr Dodds:** Everybody on the Committee agrees that a tremendous amount of work was carried out, not just by its members, but also by Mr Denis Arnold and Mr Murray Barnes. I am happy to join my Colleagues in paying tribute to them and also to the joint Chairmen, who guided the Committee. I also want to pay tribute to my party Colleagues who, on occasions, substituted for some of us who could not attend — people such as Mr Sammy Wilson, Mr Jim Wells, Mr Mark Robinson, Mr Paul Berry and Mr Edwin Poots. They made a considerable contribution to the Committee, and I thank them.

As the joint Chairman said in his introduction, the original intention was that we should report by 14 September last year. We always thought that this was somewhat optimistic and, as events have turned out, meeting even today's deadline was a bit of a rush, although the interim report, issued on 26 October, dealt with some of the issues contained in the final report. It must be stressed — as it was by the joint Chairman — that not all the issues that the Committee spent much of its time on eventually ended up in Standing Orders. Some ended up in the minutes, some in notes which will accompany the Standing Orders —

**A Member:** Some ended up in the bin.

**Mr Dodds:** Indeed.

An enormous amount of work was done, not all of which is reflected in these documents we have before us. We have had to deal with the fact that the Northern Ireland Bill was going through its various stages in Parliament at the same time as we were trying to draw up Standing Orders. There was a period when we were not sure what the legislation would say about the Standing Orders. This led to the suspension of the work of the Committee in its plenary form, although officials carried on working behind the scenes. That was one reason why the Committee was not able to progress its work as quickly as some of us would have liked.

The Committee also had to deal with additional Initial Standing Orders, sent by the Secretary of State. At the beginning of September, we spent some time debating the draft additional Initial Standing Orders, and we returned them to the Secretary of State. She commented on our recommendations, but we have not

heard anything about those additional Standing Orders since. Some of us asked what had happened to them. We queried why, at a crucial time in its work, the Committee was burdened with having to deal with these additional Standing Orders when nothing ever came of them, but to this day, the Secretary of State has not given the Committee a satisfactory answer.

We will be dealing with the Committee's work section by section. There will be specific amendments, and we can, at that time, deal with some of the minutiae and some of the individual Standing Orders as they come along.

I want to make some general points about the more significant issues. Mr Close mentioned the issue of changes in designation. We had this debate, I think, at the 26 October Assembly meeting. Mr Close still maintains that it is a nonsense to have people divided up into tribes — Unionists, Nationalists and Others. He has argued this point in Committee. The difficulty for him, of course, is that he and his party signed up to this designation, this division of people into tribes, under the terms of the agreement.

As we tried to point out on a number of occasions, it was a bit late expecting the Standing Orders Committee to argue about this when the Member had already agreed that tribalism should be enshrined in the Belfast Agreement and, therefore, in the Act itself. There was nothing we could do about it, and the reality is that we now have a system of voting which ensures that we have these designated blocks for ever within the lifetime of the Assembly — Unionist, Nationalist and Other. That is the way in which votes will be taken on key issues.

The Initial Standing Orders which we were given by the Secretary of State included a provision to enable Members to jump from one designation to another — from Unionist to Nationalist and then the following week, if Members so decided, to Other and then back to Nationalist or Unionist. Some Members actually argued in the Committee that we should continue with that — astounding though it may seem.

I am glad that common sense prevailed and that Standing Orders say that while it is possible for someone to change once during the term of the Assembly, it will be once and once only. There will be none of the nonsense that was intended by the Secretary of State and encouraged by some parties here of Members being able to change their designation with seven days' notice in order to influence a vote in the House. We were successful in deleting that piece of nonsense from the Standing Orders.

The matter of language raised its head in the Committee on numerous occasions, and we had exchanges on this subject at the meeting on 26 October. No special recognition is now given in the Standing Orders to any foreign language that may be used in the Chamber. The Standing Orders provide for Members to speak in any language other than English should

they wish to do so, but there is no provision for translation, simultaneous or otherwise, and no special recognition or place is given to any particular foreign language.

I thought that the purpose of debate was to try to influence how other Members vote or think by having one's voice heard and opinions expressed. But if some Members are so discourteous that they want to speak in a foreign language that others do not understand, that is a matter for them. If they want to waste their time in that way, that is a matter entirely for them.

Ms Morrice said that she was glad that the Northern Ireland Women's Coalition had achieved a family-friendly time for sittings: 10.00 am to 6.30 pm. However, I am disappointed that it is a woman Secretary of State who has told the House to meet until 10.00 pm both today and tomorrow in order to get through its business. I am sure that the Northern Ireland Women's Coalition will be taking this up with the Secretary of State, and I hope that they will be as vehement in raising that with her as they are about other issues.

As I understand it, however, this was not an issue. Members from other parties will agree that this was something that found broad agreement among all parties. We all agreed that we should have a sitting arrangement which would be family-friendly and family-orientated — this was not something that just the Northern Ireland Women's Coalition wanted. Indeed, the only dissenting voice on this, as reported by the joint Chairman, was that of the Chief Whip of the Ulster Unionist Party, who proposed that the Assembly meet at 2.30 pm each Monday and finish at 10.00 pm. I am glad to say that the Committee unanimously rejected that view. I do not know whether there is to be an amendment on this or not, but we will wait and see.

A problem has arisen regarding the scrutiny of statutory committees of the Office of the First Minister and the Deputy First Minister, and this has caused the Committee a great deal of concern. I will not rehearse all the arguments. I agree with the arguments that other Members have made about the importance of this issue. It is absolutely unacceptable that the important executive functions of the First Minister, the Deputy First Minister and the junior Ministers will not be subject to scrutiny by the appropriate statutory Committee. This is a very significant matter. We must address it, and one of Mr Robinson's amendments does just that. The Assembly will have an opportunity to do something about this later in the debate.

There are other issues that I could raise, but I will reserve some of my comments until later when we deal with some of these amendments in detail.

**Mr Wells:** Mr Initial Presiding Officer — I hope within the next few days to be able to address you as

Mr Speaker — I was not a member of the Standing Orders Committee, but, because of the busy nature of the work that the three Members from my party had to attend to, I attended as a substitute on no fewer than six occasions. Indeed, so regular was my attendance that one set of minutes recorded me as a member.

Like many others I am alarmed that the legislation does not enable the Standing Orders Committee to establish a statutory scrutiny committee to examine the powers exercised by the First and the Deputy First Ministers. I am extremely suspicious about how this happened because, while the Standing Orders Committee was meeting, a huge raft of new powers were added to that Office, and it would be total negation of democracy if there were not some controls and checks on that work. There is unanimity in the House on this: if the rights of all parties and the rights of all minorities are to be protected, there must be a brake on the powers, on the almost absolute powers on some very important matters, of the First and the Deputy First Ministers.

The message from the Assembly to the Secretary of State this morning is that new legislation is required on this crucial issue. It is no good saying that we can establish a committee if that committee does not have the power to require the presentation of papers or to request the First and the Deputy First Ministers to come forward and answer questions. It is really a bit of a sham. We must have the same powers as the statutory committees have over the Office.

**A Member:** Reading?

**Mr Wells:** I am certainly not reading.

I wish to speak on an issue which I have raised before — the speeches in the Assembly. I am glad to note that under Standing Order 17 this is addressed, but I think it is worth rehearsing the points that I made in the Committee. The present way in which we deal with speeches is strangling this body as a debating Chamber. A Member, unless he is proposing a motion, has 10 minutes in which to speak. The crucial point is that interventions from anyone on the Floor of House are included in that 10 minutes. The result is that Members are encouraged to get the head down and rattle through their speeches at 100 miles per hour because they have to try to squeeze in the maximum amount of material they can in the 10 minutes.

I got a lot of flak a few weeks ago when I suggested that people glanced at their notes while they were speaking. An all-party delegation came to me and told me that my remark was totally unacceptable, that it was scurrilous, and I was asked to apologise. If I caused offence, I apologise. I now realise that people glanced at their notes not to read them but to try to get as much material as possible into

10 minutes. Benefiting from this were the 'Mourne Observer', the 'Strabane Weekly News' and 'The Londonderry Sentinel' because as soon as a speech is made, the text is rushed by fax machine to the local papers. I am confident that if I miss a speech in the House I will always pick it up in the local papers.

The problem with the 10-minute rule is that people are encouraged to rattle through their speeches at great speed and, because interventions are included in their time, there is no incentive for them to give way. Why would anyone give way, although I always do? Members will not give way because they will lose precious time —

**Mr A Maginness:** One of the problems about reading or giving a prepared speech, as opposed to an extempore speech, is that the reporters and journalists who cover the Assembly do not write down what is said. They rely on scripts. Some of the Member's remarks should be aimed at the media's reporting of the Assembly rather than at individual Members.

12.00

**Mr Wells:** That is a valid point. One solution to that problem would be to cut the communication links to the rooms that the media have in this building and force them to sit in the Press Gallery and listen to the debates. A speech never seems as good in cold print as it did on the Floor of the House.

The hon Member for East Belfast, Sammy Wilson, is one of the best speakers in this Chamber. Others are, of course, Dr Paisley, Peter Robinson, Nigel Dodds, Gregory Campbell — to name a few. *[Interruption]* I certainly do not fall into that category.

We are blessed with some Members who speak outstandingly well, but in cold print in Hansard their speeches do not read as well as one typed by a research assistant who dotted the i's and crossed the t's.

This House must act as a debating chamber, where Ministers and Committee Chairmen stand up and are called to account by the Members. If we do not allow interventions during speeches all we will get is a series of monologues. We might as well stand out in the corridor and hand our speeches to the press. There is nothing to be gained by standing and reading 10 minutes of prepared text at great speed.

I proposed in the Committee — and I hope it will become the policy of this Assembly — that an intervention by someone not from the Member's own party should not be included in the 10 minutes and

that an intervention by someone from his own party should. I suggested this because there could be an abuse of the situation — for instance, someone representing the DUP could allow 19 interventions.

**Mr Campbell:** Surely not.

**Mr Wells:** It could happen, and it would be abuse. If that is allowed to happen that Member could, effectively, have a 29-or 39-minute speech, which would not be acceptable. I suggested in the Committee that interventions, no matter who they are from, be limited to one minute. Any point raised can be made in that time. If it comes from an opponent it does not count, if it comes from someone in the Member's own party it does count.

**Mr P Robinson:** There is a standard which is used practically in the House of Commons that it is not an intervention unless it is short. A minute would be far too long for an intervention, as mine has proved.

**Mr Wells:** I bow to the greater experience of the hon Member for East Belfast. I thought when I included him among the best speakers in the House he would have let me have an easy ride, but he has not.

The point is that it is a maximum of one minute. Some of the highlights of Westminster parliamentary debate have been the cutting intervention which have sometimes floored the argument of an opponent, completely smashed it, or enabled the Member speaking to consolidate his argument. We do not want to go down the road of the Dáil.

Occasionally when my TV aerial turns the wrong way and I pick up RTE I have noticed Members in the Dáil reading their speeches. The former Prime Minister, Albert Reynolds was one of the worst examples of this. He would get a sheet of paper, put his head down and read very fast in a totally unintelligible accent. We do not want our Chamber to turn into that. We want to be much better than the Dáil. We should have the same standards as Westminster where some of the best debates ever recorded have occurred. People like Michael Foot, Tam Dalyell, Tony Banks, the Minister for Sport, are able, with a cutting intervention —

**A Member:** Cecil Walker.

**Mr Wells:** And Cecil Walker. They are able with a cutting intervention to completely wrong foot their opponent.

The point is that no one listens to a speech that is read. However, a speech that is not read is often listened to. Let us turn this into a debating chamber so that people can turn on their television sets, see this Chamber and say "Those people that we elected are debating. There is cut and thrust. They are worthy of election. They are not simply forced to read."



**The Initial Presiding Officer:** Amendment No. 1 on the marshalled list, standing in the name of Mr Peter Robinson: moved or not moved?

**Mr P Robinson:** Moved.

**The Initial Presiding Officer:** This amendment, if carried, would affect Standing Orders and there therefore has to be a cross-community vote. In respect of the amendment, if there are no dissenting voices I will take that as giving cross-community approval, but when we come to the vote on the motion that we take note of the report as a whole, I will have to take a full cross-community vote.

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

**Mr Haughey:** Mr Initial Presiding Officer, is it your intention to allow summation?

**The Initial Presiding Officer:** If you wish. That may be taken now.

**Mr Haughey:** I want to refer to a few of the things that were said.

**The Initial Presiding Officer:** I will put the main question after that.

**Mr Haughey:** I cannot speak for the Committee, but I will try to reflect the kind of consensus that we achieved. Members will have to speak for themselves if they differ from that. I can only make personal observations on the matters raised this morning.

I would like to pay tribute to Fred Cobain, Denis Arnold and Murray Barnes and, indeed, to the members of the Committee. The working of the Standing Orders Committee has been an example of what can be achieved when people put their best efforts towards achieving consensus.

To refer to the points raised by Mr Peter Robinson, the amendment which he put down and which has just been carried is perfectly sensible and not contentious. He referred to the incorporation of relevant sections from the Act and the agreement into a consolidated volume of Standing Orders. Again, a perfectly sensible and appropriate suggestion which, I imagine, we will follow up.

In relation to the errata which were circulated, he is proposing that they should be agreed as a single amendment. That is also sensible. I am not entirely sure that it is necessary, since the errata are part of the Standing Orders agreed in the Committee and reported to the House. However, this will put the matter beyond any doubt and is not unduly burdensome.

Mr Murphy raised the matter of the scrutiny of the Department of the Centre, and a number of other Members subsequently referred to the matter. Because of the nature of the Act, this is an extremely complicated matter which needs careful consideration. The Standing Orders Committee has properly reported that this issue gave rise to concern, and the Assembly needs to look at it. The point raised by Mr Murphy about flags on this Building is not a matter for the Standing Orders Committee, and that was one of the things we rushed to agree at the very beginning.

Mr Close also raised the issue of the scrutiny of the Department of the Centre. I should point out to Mr Close that amendments to the Bill were taken in the House of Lords. Perhaps he might look within his own party for procedures for dealing with that. My party unfortunately cannot deal with the House of Lords.

Mr Roche suggested that Standing Orders should provide the Assembly with a means of controlling North/South bodies. No doubt he has put down an amendment to that effect, and the House will have an opportunity to consider it.

Ms Morrice raised the question of gender consciousness. A proper appreciation of gender consciousness is, I think, reflected throughout this report. Where it is not, the report can be properly amended under the procedure which has now been adopted subsequent to Mr Robinson's amendment.

Ms Morrice also raised the question of the concerns of the smaller parties, particularly in relation to the composition of Committees. I have to say that strict proportionality could be achieved only if every Member were a member of every Committee. Other than that, it is a question of trying to get proportionality in a manageable way within each Committee. In relation to the statutory Committees it would be an extreme burden, particularly upon the larger parties, if membership of those Committees were to reach a point where the smaller parties would be able to cover every standing Committee. It just would not be possible.

A membership of 11, which was generally agreed in the Committee, will give every Member a fair opportunity, insofar as it is possible, to be a member of a Committee.

Mr McCartney raised the question of the control of the Executive, and he referred to the situation in the House of Commons by way of illustrating his point. However, the situation here will be different in that, first of all, we will have a Committee system which will give a certain degree of control of the Executive, and the Executive Committee itself will give a degree of control over the functions of the First and Deputy First Ministers. The Committee did not find that entirely satisfactory, and this is something that we will have to come back to.



I should also say that, obviously, the First and Deputy First Ministers would have to have won the confidence of their own parties in respect of any proposals they intended to make; they would also have to have won the support of the House. So the First and Deputy First Ministers will not be free agents, able to conduct business as they please; they will have to have the support and confidence of the House.

I would like to thank Nigel Dodds for his kind remarks, particularly in relation to Denis Arnold and Murray Barnes, whose work has been outstanding. The House owes them a debt of gratitude.

Mr Dodds also referred to the additional Initial Standing Orders which the Committee looked at but which disappeared — I think there will be more about that shortly.

In relation to the parallel-consent requirement, I believe that that flows naturally from the agreement, and I can deal only with the Standing Orders aspect of that. I think the Standing Orders we have adopted properly reflect what was agreed in the Good Friday Agreement.

If, in his remarks about foreign languages, Mr Dodds intended to imply that Irish is a foreign language for all Members, I would regard that as unfortunate. Obviously it is not, and if he did intend to imply that, he is making foreigners out of a great many Members.

Nigel Dodds also raised the question of the functions of junior Ministers and the need for their functions to be scrutinised. He pointed out that Committees set up by the Assembly itself will not necessarily have the same powers as the departmental Committees. We need to look at that in some detail and come up with proposals which can be put before the House.

Jim Wells raised the question of extempore speaking in the House, and, in a remarkable tour de force, covered the whole question of speaking from notes and the impact of time limitation on speeches. Over a period of time, convention and usage will lead to a much more satisfactory situation than the one that has arisen from time to time when Members get up and read from prepared scripts. I do not regard that as particularly satisfactory, but you will remember, Mr Initial Presiding Officer, that I and the other joint Chairman, Fred Cobain, raised this matter with you. It is extremely difficult to know how one could legislate for that in Standing Orders.

However, I promise not to breathe a word to anyone — and I think everybody will undertake to do the same — about Mr Wells listening to RTE.

12.15 pm

*Main Question, as amended, put.*

*The Assembly divided: Ayes 84; (Nationalist 31, Unionist 47, Other 6); Noes 0.*

AYES

NATIONALIST

ALEX ATTWOOD, P J BRADLEY, JOE BYRNE, JOHN DALLAT, ARTHUR DOHERTY, PAT DOHERTY, MARK DURKAN, SEAN FARREN, JOHN FEE, TOMMY GALLAGHER, CARMEL HANNA, DENIS HAUGHEY, DR JOE HENDRON, GERRY KELLY, JOHN KELLY, PATRICIA LEWSLEY, ALBAN MAGINNESS, DONOVAN MCCLELLAND, BARRY MCELDOUFF, EDDIE MCGRADY, GERRY MCHUGH, EUGENE MCMENAMIN, PAT MCNAMEE, FRANCIE MOLLOY, CONOR MURPHY, DANNY O'CONNOR, DARA O'HAGAN, EAMONN ONEILL, SUE RAMSEY, BRID RODGERS, JOHN TIERNEY.

UNIONIST

IAN ADAMSON, BILLY ARMSTRONG, ROY BEGGS, BILLY BELL, PAUL BERRY, DR ESMOND BIRNIE, NORMAN BOYD, GREGORY CAMPBELL, MERVYN CARRICK, JOAN CARSON, WILSON CLYDE, FRED COBAIN, ROBERT COULTER, DUNCAN SHIPLEY DALTON, IVAN DAVIS, NIGEL DODDS, BOYD DOUGLAS, SIR REG EMPEY, DAVID ERVINE, SAM FOSTER, OLIVER GIBSON, WILLIAM HAY, DAVID HILDITCH, DEREK HUSSEY, BILLY HUTCHINSON, ROGER HUTCHINSON, DANNY KENNEDY, JAMES LESLIE, ROBERT MCCARTNEY, DAVID MCCLARTY, WILLIAM MCCREA, ALAN MCFARLAND, MAURICE MORROW, IAN PAISLEY JNR, EDWIN POOTS, IRIS ROBINSON, MARK ROBINSON, PETER ROBINSON, PATRICK ROCHE, GEORGE SAVAGE, JIM SHANNON, RT HON DAVID TRIMBLE, DENIS WATSON, PETER WEIR, JIM WELLS, CEDRIC WILSON, SAMMY WILSON.

OTHER

EILEEN BELL, SEAMUS CLOSE, DAVID FORD, KIERAN MCCARTHY, JANE MORRICE, SEAN NEESON.

NOES

NONE.

**The Initial Presiding Officer:** Eighty-four Members voted for the motion, and none against. This being a majority of Unionists, a majority of Nationalists and the

majority of the Assembly as a whole, the motion is overwhelmingly carried.

*Main Question, as amended, accordingly agreed to.*

*Resolved:*

*This Assembly takes note of the report by the Committee on Standing Orders and further notes that the Standing Orders, once approved by the Assembly, shall be renumbered where necessary, punctuated and proofed to ensure consistent language.*

**The Initial Presiding Officer:** It was my intention, as usual, to suspend the sitting at this point until 2.00 pm, but I must seek some guidance from the House because Members have not yet received the marshalled list of amendments. The staff are still working to put them in proper order, and I am advised that they will be available by 1.00 pm. Suspensions can only be by leave of the Assembly, so we must all agree on whether we wish to suspend the sitting until 2.00 pm or perhaps until 2.30 pm or to 3.00 pm. The later time would provide an opportunity to study the 87 amendments in some detail. Larger parties in particular may be able to give guidance to their members.

**Mr McCartney:** I propose that we suspend the sitting until 2.30 pm. It is preferable that the entire House have copies of the amendments and have at least half an hour to consider them. That would enable us to continue without the interruption of distributing material.

**Mr McGrady:** We will not have the 87 amendments until 1.00 pm. Some of us eat lunch, and I suggest that at least another hour up to 3.00 pm would be required to do any sort of justice to understanding the 87 amendments, some of which may be quite complex. I suggest suspending the sitting until 3.00 pm.

**Mr P Robinson:** The House should bear in mind the fact that additional time at this stage will have to be added at some other stage. It should be possible for officials to provide within the next 15 minutes or 30 minutes a marshalled list of the amendments for the first six Standing Orders. While we are proceeding with those they can prepare the rest. If that were done we could recommence at 2.00 pm.

**The First Minister (Designate):** I regret to say that I disagree with Mr McGrady. Waiting until 3.00 pm would lose too much time. I would be quite comfortable with 2.00 or 2.30 .

*12.30 pm*

If Mr Robinson's suggestion can be progressed, 2.00 pm is feasible. If not, and we are waiting for the entire

marshalled list, we will have to go with Mr McCartney's position. However, waiting until 3.00 pm would leave us desperately short of time.

**The Initial Presiding Officer:** It should be possible to have the full list of marshalled amendments within the next half-hour. Having put them all down, the staff have to proof read them. That is time consuming but it is virtually complete. The printing will take a little time. It should be available to Members by 1 o'clock.

**Mr McGrady:** With regard to saving time, I accept the points made by the Member for East Belfast and by Mr Trimble. Some 70 of the 87 amendments are in Mr Robinson's name and, although he already knows what they are about, we have no knowledge of them whatever. That is a substantial advantage. I am prepared to withdraw my proposition on the clear understanding that should the complexity of the amendments make it awkward for my party fully to assess their potential, I will move for a further adjournment.

**Mr Ervine:** If Mr Robinson's proposal is accepted we will have the first six Standing Orders to go on with. As we are debating those six, how can I as a member of a small party assess the future amendments that we will be debating? Mr McGrady's suggestion of 3 o'clock is eminently sensible.

**The Initial Presiding Officer:** We have several propositions. I need to seek the leave of the Assembly and there must be agreement or there will be no break for lunch. That would be a tragedy.

I propose that the sitting be suspended until 2.30 pm. The marshalled list of amendments should be available by 1.00 pm, and if at any point in the consideration of the Standing Orders and the amendments it is clear that there is a problem about complexity or other matters, I will accept requests for adjournments of up to 15 minutes in respect of any particular problem.

*The sitting was, by leave, suspended from 12.33 pm until 2.30 pm.*

**Mr McGrady:** On a point of order, Mr Initial Presiding Officer. My original proposal that the sitting be suspended until 3.00 pm, which was rejected, was based on the premise that we would receive the list of amendments by 1.00 pm. In fact, we did not receive details of the amendments until 2.05 or 2.10 — an hour later. I therefore request a further suspension of at least 30 minutes to give us a chance to study the list. Given that we have 87 fairly complex amendments, even that time may not be sufficient.

**The Initial Presiding Officer:** Details of the groupings of amendments are available in the Rotunda, though many Members may not yet have seen them.

I ask for the Assembly's agreement to a further suspension of 30 minutes, as proposed by Mr McGrady.

**The First Minister (Designate):** Further to that point of order, Mr Initial Presiding Officer. I would like to assure Mr McGrady that most of the amendments are of a nit-picking nature or relate to minor textual changes. We should be able to work our way through them fairly quickly.

*The sitting was, by leave, suspended from 2.31 pm until 3.01 pm*

**The Initial Presiding Officer:** I trust that all Members have now received the marshalled list of amendments and the groups. The amendments are numbered in the order in which they were received by the Business Office, but they are marshalled in the order in which they relate to the Standing Orders. The first amendment on the list is number 42, and it comes first because it relates to Standing Order 3(5) and there are no amendments in relation to Standing Order 1 or 2. The marshalled list will be worked through in the order that is shown, albeit the numbers of the amendments refer to when they were received by the Business Office.

**Mr P Robinson:** Further to that ruling, Mr Initial Presiding Officer. I thought that you might have more time to consider the matter of the errata. You say that Standing Orders 1 and 2 have no amendments attached to them, but they do under the errata. Standing Order 2 has a change, but if it is covered by the amendment that was made part of the substantive motion this morning, I think Members could accept it as having been passed — depending on your ruling.

**The Initial Presiding Officer:** I am content to rule that the amendment that was passed in respect of item 3 will subsume all those matters that are referred to in the errata, which were supplied with the Committee's report. All the amendments in the errata will therefore be accepted and actioned on the basis of the amendment to item 3.

The groupings of amendments, which Members have received, refer to the groups of Standing Orders in the compendium. I have not sought to produce any new groupings but have simply taken the sections in the compendium and grouped the amendments so that they relate to the groups of Standing Orders. They are ordered in relation to the individual Standing Orders.

Group 1 covers the first six Standing Orders relating to preliminary arrangements. The amendments which relate to those are amendments 42, 85A, 85B, 41, 40, 38 and 39, and they form the first group on the list of groupings of amendments. Any Member not having a list of groupings can obtain a copy from the Doorkeepers in the rotunda.

When we debate each group of amendments which refers to the group of Standing Orders, the proposers of amendments should speak in the order called. I would request proposers to refer to as many amendments as possible — in some cases it might be possible to refer to all of the amendments in that group. For example, Mr Robinson, in addressing group one, will speak first to amendment 42, but it may also be possible for him to deal with amendments 41, 40, 38 and 39, or to as many of them as is possible. Mr Neeson, or one of the other proposers may speak to both 85A and 85B if it is possible for them to do so.

I do not rule that Members must address all of the amendments in a group. While that may be possible in group one it is very unlikely that it will be possible in group two or in the group of amendments that relate to the Standing Orders of Committees, where there are very substantial numbers of amendments. It would simply not be possible to deal with those within the 10 minutes.

**Mr P Robinson:** What is the consequence of your suggestion if Members attempt to do that and fail? Does it mean that they will not be able to speak to their own amendments?

**The Initial Presiding Officer:** If Members feel that they can speak to the amendment for which they are called at that point and also to two or three other amendments, which may not be substantive amendments, within the 10 minutes, which is the limit to which they can speak at any one point, then so be it. If it is not possible for the Member to deal with it then it would be better if they stood down at that point and were then called later when the other amendment comes up. If I do not deal with it in that fairly flexible way we will find ourselves having a debate on each of 87 amendments, which is not a helpful way to proceed.

Conversely, it would be just as unhelpful if Members only had 10 minutes to deal with all of the amendments in a particular group. In the case of some Members, particularly the Member who has raised the question, and in respect of a number of the groups, that would clearly be unsatisfactory and unfair.

I am trying to encourage Members to get as much as they can into each speech. It is to be hoped that we will deal with things in a thoughtful and flexible manner.

Before putting the Question on any Standing Order where there is an amendment I will ask "Is the amendment moved or not moved?" This will give Members an opportunity to treat



their amendment as a probing amendment or to be influenced by the tenor of the debate and to either to withdraw or not move their amendment.

If the amendment is moved and there is any dissent I will have no option but to let the House divide so that we can measure the level of cross-community support. It is very difficult to do anything else if dissent is expressed at the point where an amendment, or indeed a Standing Order, is being voted upon.

I intend to try to enable the Assembly to have completed the approval and consideration of the Standing Orders and amendments up to and including those that relate to ministerial appointments, that is, up to and including Standing Order 41, before suspending today's proceedings and resuming at 10.30 am tomorrow. We will then have dealt with about half of the Standing Orders and amendments. I trust that that will encourage us to proceed as best we can. The sooner we get that far along the road the sooner we can suspend today's sitting.

#### *Preliminary Arrangements*

**The Initial Presiding Officer:** We shall begin by dealing with the amendments to Standing Orders 1 to 6.

The first amendment is No 42, which stands in the name of Mr Peter Robinson.

**Mr P Robinson:** Amendment No 42 is as follows: In Standing Order 3(5) after "Chamber" insert "during sitting days".

I am not going to waste any time on dealing with what are simply tidying-up amendments. They stand on their own feet.

I assume that the amendment simply states what was intended by the Standing Order. The Standing Orders regulate the Assembly's life not just when it is sitting, but when it is not sitting, and therefore the present terms of paragraph 5 could be construed to mean that the Roll of Members is in the Chamber all the time. There are visitors to the building, and we do not want other people signing the Roll. It might be a good idea to have it taken away between sittings. This is a straightforward simple tidying-up amendment.

Amendment No 85B in the name of Mr Neeson contains a mistake. It was probably correct when it was received by the Business Office. I assume that "other" should be "Other" as in the legislation. The effect is to suggest that any other designation can be entered and that, of course, is not what the agreement proposed. It is not what the Act requires, and I suspect that we would be acting outside our legal competence.

**Mr Ford:** Since the Member has specifically raised the issue, may I make it clear that in the current draft

order, the word "Other" appears in quotation marks. Our amendment seeks to remove the capital O and the quotation marks.

**Mr P Robinson:** That presents a difficulty because that is not what is stated. There are two mistakes here, and there are errors in other amendments. We shall point them out as each amendment is moved. I saw at least two in our amendments. Amendment No 41 contains mistakes that were not there originally. It requires the notification to be in writing, which I suspect will be a safeguard for the Speaker or any subsequent Speaker.

Amendment No 40 indicates the practice of the Assembly to date. Members may change their affiliation at any time, and if they do so they must give seven days' notification. It is put into our Standing Orders what has been our practice. It is particularly important to do that because elsewhere in the Standing Order there is reference to the identity designation and a time period of 30 days. There might have been a tendency to assume that the party affiliation should follow the same timescale. The amendment makes it clear that the period of seven days that we have applied thus far would continue to apply.

The other two amendments relate to the position of the Speaker. They are probing amendments if either of the joint Chairmen or any member of the Committee wanted to report on the thinking of the Committee on the issue. My reading of the Standing Orders is that only on the first day of the sitting is it designated that the Speaker, if returned, shall be in the Chair. In his absence there can be a Deputy Speaker or the eldest Member, and there will always be such a person. But they will act only for the business to be transacted in the first day, and the Standing Order does not show a continuing role.

There may be assumptions about that, and the amendment seeks to remove them and make the provisions more solid. If we cannot agree on the election of a Speaker, we can elect a Deputy Speaker or Speakers and they, in turn or the Deputy Speaker could take the Chair until a Speaker is elected. If we cannot elect either a Deputy Speaker or a Speaker, we are down to the eldest Member. Perhaps I may put your mind at ease, Mr Initial Presiding Officer, by saying that those circumstances relate to the procedure at the first meeting of a new Assembly. We are dealing with what happens after the next election.

3.15 pm

It is necessary that we be fairly clear about the procedures. We do not have a satisfactory set of circumstances at present. If we do not define the procedures clearly we could have a less satisfactory set of circumstances where we could not elect a Speaker and would have no procedure to deal with the business that the Speaker would transact, apart from presiding over



Assembly sittings. I think that that covers everything in the first section. Mr Initial Presiding Officer, I am looking for assurance. If that is the case, I will formally move the first amendment.

**The Initial Presiding Officer:** Mr Sean Neeson.

**Mr Ford** *rose*.

**The Initial Presiding Officer:** Mr Ford will speak on Mr Neeson's behalf.

**Mr Ford:** I gave my name this morning, but I suspect that it has been lost among all the paperwork.

I want to refer briefly to the amendments which stand in the name of Mr P Robinson, and in the spirit of charity with which he referred to ours I would like to give my party's full agreement to his first three amendments. We have some doubts about the issue of getting a Speaker by the back door. After the next election there is a danger that the oldest Member might find himself stuck in the chair for longer than might be healthy for him. However, given that Mr P Robinson has described those as probing amendments, we shall listen with interest to any response which comes from Standing Orders Committee.

I want to speak to what I thought was one amendment and now stands as two amendments — 85A and 85B. The net effect of those would be to leave out four sets of inverted commas, but those inverted commas go to the heart of our problem, which is the whole issue of identity and each person's right to define his or her identity. We have already had a minor row about how some Members designated themselves. The Standing Order is based on the Good Friday Agreement. Paragraph 6 of strand one refers to nationalist, unionist or other, with lower case letters and no quotation marks.

The Northern Ireland Act 1998 refers to designated Nationalist and designated Unionist, with lower case "d", capital "N" and capital "U" and no quotation marks. The Initial Standing Orders from the Secretary of State similarly use capital letters but no quotation marks. The difference between the word "Other" without inverted commas and the word "Other" with inverted commas, as it appears in this draft Standing Order, is fundamental. The Alliance Party believes that every Member has the right to define herself or himself. This is quite clear in the Agreement, in the Act, in the Initial Standing Orders and in the current draft, as long as one defines oneself as either Nationalist or Unionist.

It might be thought slightly bizarre that Members of the House, elected on behalf of Sinn Féin or the SDLP, can designate themselves Unionist but that is their right. Similarly, any Member of one of the many parties with

"Unionist" in their title can designate himself or herself as Nationalist. That is the current position, but the right of self-designation is no less than the right of self-determination. Every Member must have the right to designate his or her own identity. It is a gross insult to Members from my party and, indeed, other Members who do not put their primary identity in terms of the ancient quarrel to say that we cannot choose our own designation but must adopt the meaningless and offensive term "Other".

Are we to be regarded as what South Africans used to describe as "non-white" because we are neither orange nor green? It is not only Alliance Members or others in the centre who will be affected. Some Members have already designated themselves as Nationalist/Irish Republican, and in the future some Members may wish to define a particular form of Unionism. Neither would be permitted under the draft Standing Order which specifies a single word. Anything other than the single word "Nationalist" or the single word "Unionist" could not be regarded as fitting that designation.

The proposed Standing Order is, however, more than just offensive to some of us. In demanding the use of the term "Other," it contradicts the Good Friday Agreement and also the Act, which is specifically for the purposes of implementing the Agreement. The Agreement and the Act lay down circumstances in which votes are counted which depend upon the votes of Nationalists and the votes of Unionists. There is no specific counting of the votes of those who do not fit into those two designations.

Therefore there is absolutely no reason to specify how other Members should designate themselves if they do not wish to be regarded as Nationalist or Unionist. Attempting to specify how others designate themselves appears more than a little arrogant.

The draft Standing Order is contrary to the European framework convention on the protection of national minorities which was ratified by the UK in January 1998 and came into force in February of that year — that is before the Good Friday Agreement.

If this draft Standing Order is approved by the Assembly, the next Alliance Member to take a seat will have no choice but to force a determination of the legality of the Standing Order. Standing Orders, I repeat, can only be made within the bounds set out by the Northern Ireland Act 1998. The Act uses the terms "designated Nationalist" and "designated Unionist", which are defined in Chapter 47, clause 4(5). It does not use the term "Other", either with or without inverted commas, and the use of the term "Other", with a capital letter and in inverted commas, in the draft Standing Orders is therefore inconsistent with the Act. It is wrong, and it is ultra vires.

It would hardly be an advertisement for pluralism and new relationships in Northern Ireland if this Standing Order were held to be illegal under any aspects of human-rights

legislation, whether domestic or European, because a few inverted commas infringed the rights of a minority of members. I urge Members to amend this Standing Order of their own volition to bring it into line with the agreement rather than wait for the courts to do so.

**The Initial Presiding Officer:** I have received no further requests from Members to speak on the amendments in the first group. We will therefore proceed to vote on the first group of Standing Orders and amendments.

**Standing Order 1 (The Speaker)** *agreed to.*

**Standing Order 2 (Notice of First Meeting of New Assembly)** *agreed to.*

**Standing Order 3 (Procedure at First Meeting of New Assembly).**

*Amendment (No 42) made:* In paragraph (5), after “Chamber”, insert “during sitting days”. — [Mr Peter Robinson]

*Amendment (No 85A) proposed:* In paragraph (7), line 2, leave out from “being” and insert “nationalist, unionist or other”. — [Mr Neeson]

*Question put* That the amendment be made.

*The Assembly proceeded to a Division.*

**The Initial Presiding Officer:** May I have order, please. Will Members please refrain from speaking during Divisions except when responding to their names and make sure that those responses can be heard. It is not always easy for the Clerks to hear what is being said when Members are speaking in different languages.

*The Assembly having divided: Ayes 39; Noes 52.*

AYES

NATIONALIST

ALEX ATTWOOD, P J BRADLEY, JOE BYRNE, JOHN DALLAT, BAIRBRE DE BRÚN, ARTHUR DOHERTY, MARK DURKAN, SEAN FARREN, JOHN FEE, TOMMY GALLAGHER, MICHELLE GILDERNEW, CARMEL HANNA, DENIS HAUGHEY, JOHN KELLY, PATRICIA LEWSLEY, ALBAN MAGINNESS, SEAMUS MALLON, DONAVAN MCCLELLAND, ALISDAIR MCDONNELL, BARRY MCEL DUFF, EDDIE MCGRADY, GERRY MCHUGH, EUGENE MCMENAMIN, PAT MCNAMEE, FRANCIE MALLOY, CONOR MURPHY, MARY NELIS, DANNY O’CONNOR, DARRAGH O’HAGAN, EAMON

ONEILL, SUE RAMSAY, BRID RODGERS, JOHN TIERNEY.

OTHER

EILEEN BELL, SEAMUS CLOSE, DAVID FORD, KIERAN MCCARTHY, MONICA MCWILLIAMS, JANE MORRICE.

NOES

UNIONIST

IAN ADAMSON, FRASER AGNEW, PAULINE ARMITAGE, BILLY ARMSTRONG, ROY BEGGS, BILLY BELL, PAUL BERRY, ESMOND BIRNIE, NORMAN BOYD, GREGORY CAMPBELL, MERVYN CARRICK, JOAN CARSON, WILSON CLYDE, FRED COBAIN, ROBERT COULTER, DUNCAN SHIPLEY DALTON, IVAN DAVIS, NIGEL DODDS, SIR REG EMPEY, DAVID ERVINE, SAM FOSTER, OLIVER GIBSON, SIR JOHN GORMAN, WILLIAM HAY, DAVID HILDITCH, DEREK HUSSEY, BILLY HUTCHINSON, ROGER HUTCHINSON, GARDINER KANE, DANNY KENNEDY, JAMES LESLIE, ROBERT MCCARTNEY, DAVID MCCLARTY, WILLIAM MCCREA, ALAN MCFARLAND, MICHAEL MCGIMPSEY, MAURICE MORROW, DERMOT NESBITT, IAN PAISLEY JNR, EDWIN POOTS, IRIS ROBINSON, KEN ROBINSON, PETER ROBINSON, PATRICK ROCHE, GEORGE SAVAGE, JIM SHANNON, RT HON DAVID TRIMBLE, DENIS WATSON, PETER WEIR, JIM WELLS, CEDRIC WILSON, SAMMY WILSON.

**The Initial Presiding Officer:** The total number of votes was 91. The number of Ayes was 39 (42%). The number of Nationalist votes was 33 (100% Aye). The number of Unionist votes was 52 (0% Aye).

*Amendment accordingly negatived.*

*Amendment (No 85B) proposed:* In paragraph (7), line 3, leave out “ “Other” ” and insert “other”. — [Mr Neeson]

*Amendment negatived.*

**Mr Ford:** On a point of order, Mr Initial Presiding Officer. During my speech, I questioned whether that Standing Order was legal in terms of the Act. Can you tell me how I could obtain a ruling on that before we take the final vote on these Standing Orders, presumably tomorrow?

**The Initial Presiding Officer:** You have raised the question. A number of issues are involved in this. Even when the Assembly takes its vote, that is not, in itself, a determination of the Standing Orders prior to

devolution. You can take it for granted that I will be asking for legal advice myself, but that does not preclude you or any other Member also seeking legal advice. Legal advice, of course, is what it says — advice, not a determination.

*Amendment (No 41) made:* In paragraph (8), after “notification”, insert “in writing is submitted”. — [Mr P Robinson]

*Amendment (No 40) made:* After paragraph (9) insert the following new paragraph:

“A Member may change his or her party affiliation at any time. Any such change takes effect 7 days after notification in writing is submitted to the Speaker.” — [Mr P Robinson]

*Standing Order 3, as amended, agreed to.*

#### **Standing Order 4 (Election of Speaker)**

*Amendment (No 38) made:* After paragraph (6) insert the following new paragraph: —

“Where the Assembly is unable to elect a Speaker under the foregoing provisions of this Standing Order, but where a Deputy Speaker has been elected by virtue of Standing Order 5, the Deputy Speaker shall act as Speaker. In the case of more than one Deputy Speaker being elected they shall act in turn until a Speaker is elected.” — [Mr P Robinson]

*Amendment (No 39) made:* After paragraph 4(6) insert the following new paragraph:

“Where the Assembly is unable to elect either a Speaker, under the foregoing provisions of this Standing Order, or a Deputy Speaker, by virtue of Standing Order 5, the Chair shall be taken, until a Speaker or Deputy Speaker is elected, by an Acting Speaker, who shall be the eldest Member of the Assembly.” — [Mr P Robinson]

*Standing Order 4, as amended, agreed to.*

*Standing Order 5 (Deputy Speaker) agreed to.*

**Standing Order 6 (Procedure when Office of Speaker becomes vacant) agreed to.**

*Operations of the Assembly*

**The Initial Presiding Officer:** We now come to the second group of Standing Orders and amendments. I want to draw attention to two matters in this regard. First — and I am indebted to one Member who pointed this out to me earlier — the list includes two amendments numbered 26. The first should be numbered 36.

With regard to amendments 1A, 1B, 2A and 2B, if these are all moved, then we will come first, of course, to the vote on amendment 1A. If amendments 1A and 2A are passed, we need not move to amendments 1B and 2B as they are alternative proposals. However, if amendments 1A and 2A are not passed, amendments 1B and 2B may be moved.

The first amendment is in the name of Mr Peter Robinson.

**Mr P Robinson:** The purpose of amendment No 37 is to add at the end of paragraph (2) of Standing Order 9 the following words:

“The business adjourned shall be the first business when the Assembly next sits”.

It would be difficult to cover all these issues in 10 minutes. I hope at some stage to speak to the other amendments. There is the further difficulty that there are many issues of more substance in this group, and we might be juggling too many balls at one time. That concerns me.

**The Initial Presiding Officer:** What the Member says is perfectly reasonable, not only in respect of this group but in respect of the group further down the list, and particularly the group of amendments on committees. I ask Members to speak to the number of amendments that they can reasonably deal with in 10 minutes. We must try to be reasonable on these matters.

**Mr P Robinson:** Thank you for that ruling, Mr Initial Presiding Officer.

The first amendment in my name in this group relates to the issue of the quorum, and refers to the loss of a quorum during a debate and the possible adjournment of the Assembly. I leave myself open to advice from the joint Chairmen or any members of the Committee, but as I understand it, a Member could wait for some time to bring a matter that is important at least to him, to the Assembly only to find that it is not of the same importance to others who leave the Member almost alone in the Chamber. The quorum is lost, and Members are not interested in returning to the Chamber. Is the business lost or can the Member have his day when the Assembly resumes?

I suspect that a quorum will not be a problem for the four major parties as each of them is capable of providing a quorum, and can do so when they have an interest in the business. It will be more difficult for smaller parties that could not provide a quorum and could be denied the opportunity to deal with an issue. A similar principle is dealt with in a later amendment to Standing Order 16, which is a delaying motion when a motion is made for the adjournment of a debate. In that case the adjournment is caused not by the loss of a quorum, but through the Question being put. That would be a mechanism that a party or parties could use to avoid a vote during the life of the Assembly.

People who bring a motion or subject to the Assembly have the right to have it decided, irrespective of whether it is decided in their favour. They have a right to a determination, and it is necessary for us to ensure that the Standing Orders clearly provide the right of Members to have a vote and to have the time to make their case. The aim of those two amendments is to ensure that if the House is adjourned for one reason or another, its first business at its next sitting is the



business that was adjourned. That might make less likely the use of procedure as a device to curtail debate.

The next amendment deals with public business, and I am again open to advice from the members of the Committee. I assume that we attach some importance to the role of statutory committees. We would consider their reports to be of such significance that they would be included in public business along with stages of Bills and notices of motion. That is a simple, tidying amendment to include statutory committee reports.

3.45 pm

Members may consider that the reports from other Committees should also be included. I have not considered that, but the Standing Orders Committee may wish to consider it at a later stage.

The next amendment affects Standing Order 15(4). I suggest simply taking out the last two words, which indicate that one can only withdraw an amendment during debate. An amendment is usually withdrawn at the end of a debate, and my proposed amendment would simply have the effect of allowing a Member to withdraw an amendment before a Division was called.

My amendment to Standing Order 16(2) takes away the right of the Speaker to make proposals. The Speaker simply puts a Question; he does not propose it. I was pleased to hear that you, Sir, when explaining the various amendments, encouraged everyone to support Standing Order 26. I think his exact remarks were “you can only approve of 26 once”, and I hope that Members follow his advice. So my amendment to 16(2) would have the effect of replacing “propose” with “put”, and that part of the Standing Order would then read “decline to put the Question”. There is a similar drafting amendment to be found later on.

The next amendment deals with statements. The Committee spent some time considering the amount of time to be allowed for questions on statements. As it stands, the Speaker must allow questions on a statement for up to one hour if there are Members still wanting to ask questions.

The Speaker must be given some discretion in this matter. My amendments would introduce two changes. The first amendment would have the effect of allowing questions to last for no more than one hour, and the second would allow the Speaker discretion to curtail the amount of time subject to the content of the statement. If it were a statement of substance, the Speaker would determine that it was a matter on which questions should last for as much of an hour as Members needed for the matters to be elucidated. The Speaker might determine that a statement was not a matter of such importance as to warrant the full hour.

At the moment there are proposals for 10 Departments as well as the central Department. Each of the Ministers could decide, over his cornflakes, to make a statement that day, and we could therefore have ten statements being made in any one day. Do Members really want to have ten hours of questions? No is the answer to that. There must be some discretion on the part of the Speaker to deal with that matter in a way that would reflect the wishes of the House and the importance of the statements being made. I expect that the Executive Committee will organise its business so that we do not have ten statements on one day, but if the Assembly is only going to have two sitting days in the one week, we could still have, on a very frequent basis, a number of statements on any one day.

The next amendment relates to Standing Order 18(5). I have decided, in Churchillian fashion, that this is something up with which I shall not put. As the Standing Order ends with a preposition, I am suggesting a change to correct the grammar.

There are only two amendments that I have not touched on. The Standing Orders do not put any requirement upon a Minister to respond to an Adjournment debate. There is a general view in the Assembly that if a Member takes the trouble to bring forward an issue of importance to him, and perhaps to others, the relevant Minister of the Northern Ireland Executive should have an allocated time slot in which to respond. I suggest 10 minutes, but I am not hard and fast on that. That amendment is put forward on the basis that a Minister should have the right to respond to issues concerning his or her departmental responsibilities.

Finally, and very briefly, I will touch on the matter of questions being placed. As the Standing Orders stand, questions will be taken in the order in which they are put down. This practice did not serve us well in another place because Government Ministers ensured that all their Back-Benchers placed questions down immediately, leaving them with a friendly set of questions. Were questions to be decided by ballot, held by the Clerk or the Speaker, that would be fair to every Member.



*The following amendments stood on the order paper in the name of the First Minister (Designate):*

*No 1A: In Standing Order 10(2), line 3, leave out “10.30 am to 6.00 pm” and insert “2.00 pm to 8.00 pm”.*

*No 1B: In Standing Order 10(2), line 3, leave out “10.30 am to 6.00 pm” and insert “11.30 am to 7.00 pm”.*

*No 2A: In Standing Order 10(2), line 5, leave out “10.30 am to 6.00 pm” and insert “2.00 pm to 8.00 pm”.*

*No 2B: In Standing Order 10(2), line 5, leave out “10.30 am to 6.00 pm” and insert “11.30 am to 7.00 pm”.*

**The First Minister (Designate):** While we have not completely settled our mind, and consultations are continuing, we are favourably disposed to most of the amendments that Mr Peter Robinson has dealt with.

By way of contrast, the amendments in my name were put down to enable me to make some points about the times at which we should be sitting. I do not intend to press any of them to a Division. They were tabled in the spirit, as is often the case on these occasions, of running a flag up the pole to see who salutes it. Very few people saluted these four amendments and that was the case even among my friends around me.

I do, however, have an important couple of points to make which I wish to press on Members. With regard to the sitting times in the House, I believe that a serious mistake is being made, and I expect that in a few months' time we will have to come back to this issue and look at it again.

It may be thought superficially attractive to have sitting hours that correspond to working hours, but that does not work. It is not practical. Members need to consider that if the Chamber is sitting from 10.30 am to 6.00 pm and that if there is serious business in the Chamber between those times, the likelihood is that they will be engaged for some or most of that time in the Chamber. If they are so engaged, when are they going to do their work? And there is work to be done outside the Chamber.

That work involves constituency work, research, reading and thinking. Some of it can be done in the evenings, but how much? Research work and preparation requires access to materials and that material may not always be available in the evening at home. It may be that Members will need time for that other than in the evening.

Then there are those who will have other responsibilities, whether as Committee chairman, vice-chairman or Ministers — when are they going to work if the Chamber is sitting from 10.30 am to 6.00 pm? They cannot administer their offices during the evening unless Civil Service hours are changed radically, and that might involve a fair amount of overtime.

So there is a serious point here because while the affairs of the Chamber are extremely important, they are only a part of the work that a Member has to do. It is for this reason that almost all deliberative and legislative bodies sit in the afternoon and evening, not the morning. Mornings are required for work, and if Members do not have the mornings for work, there is a problem.

Even the larger parties have problems, particularly in relation to group meetings: if they had to begin before 10.30 am, that would obviously limit the numbers able to attend. This is not a problem for small parties; nor is it a problem for those parties that run on the *Führerprinzip*, where everybody does what the Leader says, irrespective of circumstances. But not all parties are like that. There is a serious point there too.

There is a not-so-serious point but, equally, it is not an insubstantial one. One of the consequences of an Assembly, legislative body or parliament's sitting in the evening is the growth of a degree of *esprit de corps* among its members that would not happen were the sittings to be limited to daytime.

I know the objection that will be made to the argument I am putting forward, and I have been told that it was made in the Standing Orders Committee. Members have said that they want family-friendly sitting hours. That argument is also wrong. It is the mornings and afternoons that are needed for those with young children, not the evenings. When Members use the expression “family friendly” they really mean that they want their evenings free for their own social lives, not for families and children. People who enter public life must realise that they do so at the sacrifice of their social life.

**Ms Morrice:** I am interested to know what exactly the First Minister's children do in the evenings that they do not require parental supervision?

**The First Minister (Designate):** I am in the very fortunate position of having complete confidence in the good sense of my wife and of all my children.

**Mrs E Bell:** The First Minister (Designate) has said that he needed to see his children in the mornings and the afternoons, but what happens to their schooling?

**The First Minister (Designate):** I was making a very simple point which I thought Mrs Bell would understand. Young children need parental care in the mornings and

afternoons rather than the evenings. With older children, of course, parental care is demonstrated in other ways.

I return to the primary point that I made earlier. Work has to be done outside this Chamber, and the sittings of this Chamber have to be organised with that in mind. That is why similar bodies have tended towards sitting in the afternoons and evenings. The pattern of sitting from 10.30am to 6.00pm has not been a problem with the Assembly only sitting intermittently, but it will be a problem in the future when the Assembly will be sitting on a regular basis. In time those who do not see substance of my present argument will come to appreciate that this is a matter that we will have to return to.

I wanted to make that argument and to share with Members some of the reasons why experience has led other bodies to sit at the times they do. Experience will also have an impact on what we do in the future. However, I shall not be pressing these amendments to a Division. From my soundings, I have already gathered that the House would be against them.

*4.00 pm*

**Mrs E Bell:** There are a few people who would like to comment on the First Minister's proposals.

First, I take on board what has been said about the pressure of business and, as time goes on, about the extension of that. However, we should establish the principle of having hours that will help us both in our professional life and in our family life.

With all due respect, I do not feel that Westminster is necessarily an example which we should follow. Many of the Members at Westminster have flats or town houses. We do not, and most Members here travel to and from their homes. I understand that at one of the earliest meetings of the Committee on Standing Orders there was very little dissent — apart from Ulster Unionist Members — when it was proposed that we should operate according to the current timetable, with, perhaps, a slightly different starting time. The plan was to see how these hours suited the House and to review them in due course, if necessary.

I can be as friendly with people during the day as I can during the evening, so I do not think that that represents an argument in favour of a change. Also, if the House sits from 10.30 am, I have time to do a considerable amount of work, including housework, before I come in, so I do not think that that is a serious argument either.

I appreciate what the First Minister (Designate) is saying about the workload that we will have, but I feel that we should try to operate a system that is both family-friendly and profession-friendly. I will not support this change.

**Ms Morrice:** I endorse what Mrs Bell has said, and I thank the First Minister (Designate) for deciding not to push this point. The fact that we have agreed to suspend sittings at 6.00 pm is of great importance to a number of us. This is not just of benefit to people with families — men as well as women — but also more suitable for Members who have to travel considerable distances. Those with journeys of one-and-a-half to two hours will not get home until after midnight if we do not stop until 10.30 pm.

As Mrs Bell said, we can be friendly with our colleagues during daylight hours, not just in the evening. It is important that we move into the modern world. I said earlier that the Scottish Parliament would be following our lead. These old-fashioned times are for the dinosaurs.

**Mr McCartney:** I do not wish to play the role of referee between feminist obsession and the remnants of male chauvinist piggyery.

**The First Minister (Designate):** Where is that?

**Mr McCartney:** The First Minister (Designate) asks where that is. I got the impression that he had consigned responsibility for the care of his children to the lady of the house. Many people, in the modern world, would consider that to be sexist and to have overtones of male chauvinism.

However, I have some sympathy for what the First Minister (Designate) has said. Anyone who is involved in public life, in Government, or in the work of the Assembly, is involved in a public duty. Such public duty, from time to time, calls for sacrifices in our domestic lives. Members of the Assembly who are also Members of the House of Commons will know that. Members, such as Mr Hume and Mr Paisley, who are also Members of the European Parliament have sacrificed a great deal of their domestic lives to public service.

The First Minister (Designate) has a point when he says that there is much business to be conducted in addition to attendance in the Chamber. I think that we should have a trial period for the times given in the proposed Standing Orders, whether they be family-friendly or not, to see if they are suitable. The First Minister (Designate) has agreed not to pursue this issue at this stage. Many Members may well have grave reservations as to whether these times will be suitable in practice.

Those who have spoken about the long distances travelled by some Members should bear in mind that many Members of Parliament have to be away from their families from Monday to Friday.

**Ms Morrice:** Shame.

**Mr McCartney:** Ms Morrice shouts “Shame!”, but, if you happen to be the Member for the Outer Hebrides, you may not see your family for three or four days a week — this might even apply to the Member for South Down. We must accept that, if we are involved in public service and have decided to put other things to one side, there will be a certain degree of domestic inconvenience.

Domestic arrangements should be met to a degree, but it would be entirely foolish to make the work of the Assembly subservient to whether a Member could get home by 6.30 pm to make her husband’s tea or, in the case of a male Member, to do his share of the ironing. *[Interruption]*

**The Initial Presiding Officer:** Order.

**Mr McCartney:** I make no secret of engaging in quite a few household chores, but ironing is not one of them.

But let me return to a serious note. Being engaged in public service makes demands upon all of us in our private, social and domestic lives. It is impossible to organise public business entirely around the hours that would be convenient and suitable.

As the First Minister (Designate) has suggested — and he is not pushing this — Members should give this a run but keep it under very careful observation to see whether it works. If it does not work, Members will have to revisit the issue.

**Mr S Wilson:** The First Minister (Designate) has decided not to push this issue to a vote having taken some soundings. I suspect that these were taken among his party as well as other parties. My Colleagues and I have noted that this has become a bit of a habit — his finding difficulty in getting support from his party for some of the things that he has been proposing. I suppose he did not want to embark on another round of letter-writing to give assurances.

I want to comment on the argument put forward that if Members wish to stop the sittings of the House at 6.00 pm it is to allow Members to enjoy an extended social life, get away from work and have a jolly old time. I do not know about the First Minister (Designate), but most Members who represent inner-city constituencies — and I suspect other areas are no different — will find that when they leave here at 6.00 pm on a Monday or Tuesday, they are not going home immediately or to enjoy social life.

In areas of extensive redevelopment there are housing and community groups, and other activities as

well, which can only be accommodated in the evening. That is the only time when constituents who are working during the day are available. I wish to dispel the idea that by adjourning the House at 6.00 pm, Members are then free. That is not the case, and if Members were to continue until 8 pm, some very important constituency duties could not be carried out.

Members must be careful not to regard this place as a kind of ivory tower where they are increasingly cut off from their constituents. The time here must be arranged to allow Members to do the things which are important to their constituents.

The First Minister (Designate) asked when the work was going to be done if Members started at 10.30 am. He wondered how time could be found for reading, thinking and constituency work — especially if holding ministerial office. There are three other days in the week when the Assembly will not be sitting full-time. Committees may be meeting, but there are three days to fit this work in. If Members have research or other work to do, or constituents to see, this is more easily fitted into an evening. So I am not sure that his argument about needing time in the morning for this sort of work is valid. We discussed this in the Committee, and I do not think that there was any great division in the Committee at that stage.

**Mr Ervine:** Would the Member agree that when this was raised initially it was considered by some people on the Committee essentially to be of benefit to those who had other business and other potential means of remuneration outside the House?

**Mr S Wilson:** That was a point which was made at that time.

I would make one last point about flexibility. What happens if Government business runs on? The Committee has already allowed for this in the Standing Orders. Standing Orders 10(2) and 10(3) provide for an extension of time into Tuesday evening, Wednesday, or both if business cannot be completed in the allocated time. The flexibility is there. We are mindful that there may well be occasions when the pressure of business will require the House to sit that bit longer, and that is a much more sensible way of facilitating that need.

It was also felt that the sitting hours should be as flexible as possible to allow people with families to have some time in the evening with their families. All in all, the kind of compromise we have reached on timing is a reasonable way to order the business of the House and to give Members the flexibility they need to do their duties to their constituents inside and outside the Assembly.

**Mr Weir:** Loth as I am to speak against the wishes of the First Minister (Designate), I am minded to agree with the remarks made by the hon Member for East Belfast and also by my Colleagues from North Down. It may well be



that in reviewing these arrangements in the future we may find that there is a better way forward and that there are hours which would suit us better. For the moment I am very much persuaded by the views which have been put forward already with regard to timing.

There is a degree of flexibility in the hours we have agreed. Ministers will have full days at work during the days, two of which will be Committee days, when plenary sessions are not taking place. I assume, and Members may correct me, that Ministers will not sit on Committees. Not only will they not chair Committees, or be Deputy Chairmen, they will not be sitting on them either. Thus Government Ministers' time will be freed up during that period.

With regard to the timings of plenary sittings, it has been suggested that one of the days might run from 2.00 pm to 8.00 pm. As has been indicated by Members, there is a great deal of pressure on them to attend meetings in their constituencies in the evenings if they are to service their constituents in a proper fashion.

Groups of constituents are not usually available during the day. Some people are able to meet Members during the day, but quite often the most convenient time for a group to meet you in connection with a planning issue or an education or housing matter is in the evening. If we are in the Assembly until 8.00 pm it will be very difficult for Members to attend such meetings, and particularly difficult for those whose constituencies are a long way from Belfast. Members who face a one-and-a-half-hour drive, or in some cases a two-hour drive to the most far-flung parts of the Province, will not reach their constituencies until 9.30 pm or 10.00 pm. It would be almost impossible for them to attend any meetings during the evenings of those days.

4.15 pm

A six o'clock close would allow people, including those who live a long way from Stormont, to get home and attend those meetings. The proposal for the times to be 11.30 am to 7.30 pm would afford some opportunity for group meetings, but there is a danger that whenever a group was not in session, and things were only starting at 11.30 am that that would be, to some extent, a waste of the morning. It would be difficult for ordinary Members to get much work done. There is clearly a point in the suggestion that it would enable Ministers to perform their functions, but there is enough flexibility in that.

When the Assembly goes 'live', about 90% of its Members will not be Ministers. We have to think of the work to be done by the Back-Benchers, not just the Ministers — and I speak as someone who is likely to remain a Back-Bencher for the foreseeable future. *[Laughter]*

The hours that have been put forward are sensible; they are, at least, worth trying, although I note the concerns of the First Minister (Designate) who obviously has a lot more parliamentary experience than the majority of us. *[Laughter]*

Obviously some have not been persuaded by my argument.

I am glad to see that the matter is not being pressed to the vote. As someone who was on the Standing Orders Committee and agreed these hours, I think they represent a sensible and flexible way forward. This is probably true of a number of rules, but if we find, six months down the line, that this system is not working, that it would be better to have more evening meetings, the procedures can be reviewed.

Unlike some of the other Standing Orders, where there would, arguably, be some contention between individual parties, this is something which, I think, is non-political in that sense. If we find that the system is not working for the benefit of constituents and in the best interests of the Assembly, it can be reviewed very easily and adjustments made. But as it is, the proposals contained in the current Standing Orders are adequate and flexible enough, and I am glad that the amendment will not be —

**Mr Hussey:** I thought the Member was drawing to a close. Another factor that has to be taken on board and one that no one has mentioned is Members' safety. Following a long journey here and a day's work, a Member can be tired when returning to his or her constituency. Those of us who live in the west find that travelling home can be quite dangerous. That should be taken into account; when we are returning home, we should be doing so in a reasonably fresh condition.

**Mr Weir:** I live in the east of the Province and have the good fortune to live relatively close to Stormont — about half an hour's drive away — so I have not encountered this problem directly. However, Members who represent the Greater Belfast area ought to behave in an altruistic fashion and realise that Members who come from the west and, indeed, the north and south of the Province, will have lengthy drives. They should try to avoid situations in which, late at night, their safety is endangered.

I agree with Mr Hussey's point. There is a wide range of issues which would persuade me and the vast majority of others in this Chamber that the proposals, as currently outlined in the report represent the best way forward. They can be reviewed later, but at the moment, I am glad that these amendments are not being put to the vote.

**Mr Dodds:** I want to deal first with amendment No 27. This is a sensible amendment, in



keeping with the thoughts of the members of the Standing Orders Committee. It was the Committee's view that if Adjournment debates were to be worthwhile, a response from a Minister was essential.

One of the difficulties we currently have is that while we have provision for an Adjournment debate, it is very much a case of speaking into the ether. No one takes any notice of what the Member is saying, because there is nobody of any authority to answer the points being made, although as Mr Wells pointed out earlier the relevant local newspaper will, no doubt, get a copy of his speech within a very short time. It is sensible, and it certainly accords with the view of the Standing Orders Committee that a Ministerial response should be required at the end of the Adjournment debate. I do not know why the Standing Orders did not reflect that.

This is a very sensible amendment, and it should not be left to a Minister's discretion to decide if he wishes to reply to such a debate — the relevant Minister should be required to do so. I also want to deal with amendments 31 and 32, which relate to ministerial statements, as raised by Mr P Robinson, about the time that could be used up if a large number of Ministerial statements were to be put forward for the same sitting.

This was also the subject of debate in the Standing Orders Committee. Indeed, one of the initial drafts suggested that a Ministerial statement would be followed by a debate, but it was, quite rightly, thought that would be improper because many Members would only have received notice of the statement when the Minister stood up or a short time before that. The Committee debated the question of how much time should be devoted to follow-up from the ministerial statement.

In the case of some statements, you would certainly want to use up a full hour, but for others you might not wish to do so. It may be that, out of courtesy, the Minister will wish to draw something to Members' attention, but it would not be sensible to use up a full hour's business. The Member should be given discretion, and it should be made clear that he has no more than one hour. As it stands at the moment, it is normally one hour.

In relation to amendment 34, we have provision dealing with the adjournment of the Assembly in the Standing Orders, and it is clear under draft Standing Order 10 that an adjournment of the Assembly shall mean an adjournment until the next sitting day unless the Assembly, on a motion made by a Member of the Executive, after notice, has ordered an adjournment to some other definite date.

The point we are dealing with is to do with the adjournment of a debate. It would be wrong and an infringement of Members' rights if that debate could be adjourned and adjourned for some time. We have built-in provisions which deal with the adjournment of the Assembly. Clearly, if it is adjourned then it will resume at the point at which it left off when it next sits. But if a motion has been tabled, and there is a debate on it, the Standing Orders should make it clear that that simply cannot be done away with by some tactic.

Regarding the amendment standing in the name of the First Minister (Designate) — and I welcome the fact, like the Member who spoke earlier that these are not going to be pressed to a vote — the Standing Orders Committee considered this issue a number of times. When it first came up, most parties agreed that we should at least aim for this sort of timescale, starting in the morning and ending early in the evening. It was brought to the attention of the Standing Orders Committee that the Chief Whip of the Ulster Unionist Party wanted to have the sort of hours that have been shown in these amendments in the name of the First Minister (Designate). There was no support for that from any quarter in the Standing Orders Committee.

I am somewhat surprised that they even appear on the Order Paper. I have some sympathy with some of the initial arguments advanced by the First Minister (Designate) with regard to how we manage our business and how the work might progress. If we see that there is a need to change because of the requirements of the Assembly then certainly the matter can be placed before the Committee on Procedures which will continue to consider and review the procedures and Standing Orders.

The First Minister (Designate) was on altogether more dicey ground when he started into the whole question of family time. He seemed to be suggesting that after 6.30 pm Members go off to socialise or advocating that we spend more time at home in the mornings and afternoons, which was either an argument for people not going out to work at all or an argument for keeping your kids off school. His arguments did not seem to stack up. We should, in the interests of this House and the management of the work of this House, keep that subject matter under review.

We should try, if at all possible, to make the suggested hours work. It is in the interests of most Members with families to try to stick to them. Mr Wilson's points in relation to the workload of Members was a case in point. Bearing in mind these points, most of the amendments that are going to be moved on the Floor are ones that many of us who are members of the Standing Orders Committee would have no difficulty with.

**Mr Dalton:** I want to take the opportunity to salute the flag that has been run up by the First Minister. The Assembly should consider that, outside of this place, there are a number of people who work hours that are not social.

They do not get to work from 9 to 5 or from 10 to 6. I spent many years working —

**Mr Weir:** On a point of order, Mr Initial Presiding Officer. I notice that the clock was not at zero at the start of Mr Shipley Dalton's speech.

**The Initial Presiding Officer:** Thank you for your assistance.

**Mr Dalton:** I have got extra time now. I thank Mr Weir.

As I was saying, for a number of years I worked both in a daytime job, and served as a part-time member of the Royal Irish Regiment. That meant that I was going home at 6 o'clock to grab something to eat before reporting for duty at 6.30 pm, and then working from 6.30 pm to 3 o'clock in the morning. Then I was going home to get up at 7 o'clock the next day to go to work again. There were many men working with me who were doing the same thing. There were men who worked 12-hour shifts in Shorts, and then put in eight hours duty in the evenings as well. There are a lot of people who —

**Mrs E Bell:** As I was listening to the Member I was thinking, as many other Members must have, that we are doing much the same thing. As Mr McCartney said when one takes on a position one takes it on as a matter of duty. That applies to a job or to a Member's commitment to the Assembly, and we did take that into account. The Member may not have meant to but he did sound quite patronising.

**Mr Dalton:** My apologies if the Member felt that I was being patronising. I was simply making the point that outside of this place there are a number of people who, for reasons of their work or family commitments, have to work unsociable hours. It is a bit rich for the Assembly to decide that we would rather work more social hours so that we can have the evenings available. If we choose to use them for constituency business, that is fine. Many people do.

However, it does not seem unreasonable for us to consider that we leave the mornings available for work in this House in order that Ministers and those who hold positions can carry out those functions. We work through the day and into the evening on two days of the week and leave ourselves three evenings for constituency business. That seems a perfectly reasonable proposal to me.

**A Member:** What about family?

**Mr Dalton:** Fortunately, it is not something I have to overly concern myself with because I do not have a family. Apart from feeding the cat, I do not have a heavy domestic burden. The points made by Mr McCartney were relevant. Taking on a public position, taking on a

position in the Assembly, is a responsibility that Members choose to accept, and if they choose to accept that responsibility, there is going to be a burden upon their domestic lives. Clearly, in this community, that has been a burden that has gone beyond merely domestic life for many years. We have accepted that burden; we chose to come here, to put ourselves up for election. If Members would prefer more social hours, let them take another job.

**Ms Morrice:** Having children is also taking on a responsibility. I take the point that the Member has no family as yet, and I warn him that with this type of attitude, he may have difficulties in the future in that domain. Children are as much a responsibility, if not more so, than duties.

**Mr Dalton:** I agree that children are indeed a responsibility and one that every person should think carefully about before taking on. But that does not detract from the point I am making that, in taking up a position in public life, a person is accepting additional responsibilities that will have an impact upon his family and domestic circumstances.

I welcome amendment 27. It is quite clear from the comments of Mr Dodds that this was raised in the Committee. Clearly Adjournment debates in this place have been relatively ineffective — one speaks into thin air or gets one's press release into the local papers. For an Adjournment debate to be worthwhile, the appropriate Minister must be present in the Chamber.

Members, especially Back-Bench Members who will not always get the chance to address their concerns to the appropriate Minister, can direct those concerns to the Minister responsible and ask for a reply. That is extremely important for those Members who have vital, pressing constituency concerns or other concerns that they have specialist knowledge in. I do welcome that particular amendment from Mr P Robinson.

Most of the other amendments seem to be corrections of various mistakes or grammatical errors that the Committee has made. It is unfortunate that Mr P Robinson was not on the Committee and could have pointed those out as we went along. We live and learn.

**Mr A Maginness:** For the record, the SDLP supports the draft Standing Orders that deal with the present hours. We believe that these hours are family-friendly. We also believe that in relation to travelling, for many of our Members, we are putting an extra burden on them if they have to leave the Assembly at a late hour. Members have many duties in their constituencies at night-time.

It is not appropriate to compare what happens here with what happens at Westminster. Many Members of the

Westminster Parliament go to London and stay for three or four days. It is impossible for them to leave Westminster and go back to their constituencies on a daily basis unless they live in the greater London area. The circumstances that prevail at Westminster are quite different from those that prevail here. As a new institution we should strive to set standards that have not been set by Westminster or by other parliamentary institutions in Europe or throughout the world. We should try to set a new standard by which we can afford family-friendly hours to our Members.

Another important point is that, although the Chamber is predominantly male, one hopes that in the future we will have an increase in the number of female Members.

While I emphasise that the hours we have are family-friendly, favourable not only to female Members but also to fathers like myself, it makes it easier for people with young families to come into politics and to be Members of this institution. There is flexibility within our Standing Orders, certainly on Tuesdays, and also on Wednesdays if necessary, to extend the period for debates and plenary sessions. There is a safeguard within the draft Standing Orders to assist us.

**Mr Leslie:** Does the Member agree that if the hours were extended into Wednesday, it would obviate the argument that has been made that as long as the business is conducted in two days, there are three days left for other business? Extending into Wednesday would be an unsatisfactory trade-off, and Tuesday evening is to be preferred.

**Mr A Maginness:** I am grateful to the Member for his intervention. The context in which I said that we could go into Wednesday was as a safeguard, increasing the flexibility of sittings. It would not be taken lightly, and it would not automatically follow. It is a safeguard which gives the Assembly extra flexibility to cope with situations that may arise from time to time.

The important thing is for the Assembly to be innovative. The Scottish Parliament will also be addressing the issue of family-friendly hours. We should set an example for other institutions. We should support the present situation and the draft produced by the Standing Orders Committee. If in the future we find that the hours are not working out, we can revisit this, as we can revisit any of the other Standing Orders. For the time being, my party and I believe that we should support this.

**Mr C Wilson:** On a point of order, Mr Initial Presiding Officer. We are engaged in important work here today on the Standing Orders, but I wonder if

Members are aware, and whether it would affect their enthusiasm for the matters before us if they were, that the Secretary of State has decreed in Dublin today that she intends to operate d'Hondt on the 29<sup>th</sup> of this month and thereby push this process to destruction if necessary —

**The Initial Presiding Officer:** That is not a point of order. It may be very interesting to Members, but it is not a point of order.

I believe that Mr Robinson, when he spoke earlier, referred to all his amendments in this group save one — No 26. I will call him now in case he wishes to speak to that, but before doing so, I wish to make two references to the draft before us. One concerns a typographical error: “a petition shall related” should be “a petition shall relate”.

The second concerns a matter on which I am seeking advice. It might be better if the amendment were to say

“within the legal competence of the Assembly as defined by exception in section 6(2)”

rather than simply “as defined”, because section 6(2) of the Act defines by listing the exceptions — that is to say, those things that are not within the competence. That does not create any problems for our considering it or for our voting upon it, because we already have something of a catch-all rewrite clause in the first amendment to the report. In order to ensure that we are legally correct, I am taking advice on the matter.

**Mr P Robinson:** I am quite content with that. As I have already mentioned to some Members, most of these were drafted either on a flight to or from London at the weekend. Section 6(2) deals with excepted matters but does not include reserved matters which should not be the subject of petitions either. Your advice is sound.

It is a fairly matter-of-fact amendment simply to take account of the fact that nobody should be entitled to petition the Assembly on a matter over which the Assembly does not have any power. That may be our working practice, but it will make matters much easier for Members who will undoubtedly be asked to present petitions on all sorts of issues, some of which may be security related. I was asked today to sign one which I suspect may be outside the Assembly's competence. There will be a series of issues, and it is better to be able to give the clear answer that it is not within the competence of a Member to bring a petition of that nature to the Assembly.

I trust that the amendment, as redirected, can be approved. I have one comment on the amendments in the name of the First Minister (Designate). I hope that the Committee is right in its judgement. I fear that he is right, and I rather suspect that he will be able to smile broadly at some later stage when we shall undoubtedly have to revisit the issue. We will not get it right first time, but if it is possible to work on what seems to me to be the most appropriate basis, we should do that. Let us see if



it works while recognising that we may have to revisit this issue.

We must also appreciate that constituency Members have other duties. I have no doubt that it is not because Ulster Unionist Members want to lie in bed on a Monday morning that the amendment was tabled. I think that there are genuine reasons for it and that in the fullness of time many of us will have to accept them.

**Standing Order 7 (Proceedings to be held in public) agreed to.**

**Standing Order 8 (Prayers) agreed to.**

**Standing Order 9 (Quorum)**

*Amendment (No 37) proposed:* In paragraph (2), at end add

“The business adjourned shall be the first business when the Assembly next sits”. — [Mr P Robinson]

4.45 pm

*Question put:* That the amendment be made.

*The Assembly divided: Ayes 62; Noes 25.*

AYES

NATIONALIST

ALEX ATTWOOD, P J BRADLEY, JOE BYRNE, JOHN DALLAT, BAIREBRE DE BRÚN, ARTHUR DOHERTY, MARK DURKAN, SEAN FARREN, JOHN FEE, TOMMY GALLAGHER, CARMEL HANNA, DENIS HAUGHEY, DR JOE HENDRON, JOHN KELLY, PATRICIA LEWSLEY, ALBAN MAGINNESS, DONOVAN MCCLELLAND, DR ALASDAIR MCDONNELL, EDDIE MCGRADY, GERRY MCHUGH, EUGENE MCMENAMIN, PAT MCNAMEE, FRANCIE MOLLOY, CONOR MURPHY, DANNY O’CONNOR, DARA O’HAGAN, EAMON ONEILL, SUE RAMSEY, BRID RODGERS, JOHN TIERNEY.

UNIONIST

FRASER AGNEW, PAUL BERRY, NORMAN BOYD, GREGORY CAMPBELL, MERVYN CARRICK, WILSON CLYDE, NIGEL DODDS, DAVID ERVINE, OLIVER GIBSON, WILLIAM HAY, DAVID HILDITCH, BILLY HUTCHINSON, ROGER HUTCHINSON, GARDINER KANE, ROBERT MCCARTNEY, WILLIAM MCCREA, MAURICE MORROW, IAN PAISLEY JNR, EDWIN POOTS, IRIS ROBINSON, MARK ROBINSON, PETER ROBINSON,

PATRICK ROCHE, JIM SHANNON, JIM WELLS, CEDRIC WILSON, SAMMY WILSON.

OTHER

SEAMUS CLOSE, DAVID FORD, KIERAN MCCARTHY, MONICA MCWILLIAMS, JANE MORRICE.

NOES

UNIONIST

IAN ADAMSON, PAULINE ARMITAGE, BILLY ARMSTRONG, ROY BEGGS, BILLY BELL, DR ESMOND BIRNIE, JOAN CARSON, FRED COBAIN, ROBERT COULTER, DUNCAN SHIPLEY DALTON, IVAN DAVIS, SIR REG EMPEY, SAM FOSTER, SIR JOHN GORMAN, DEREK HUSSEY, DANNY KENNEDY, JAMES LESLIE, DAVID MCCLARTY, ALAN MCFARLAND, MICHAEL MCGIMPSEY, DERMOT NESBITT, KEN ROBINSON, GEORGE SAVAGE, RT HON DAVID TRIMBLE, PETER WEIR.

**The Initial Presiding Officer:** There voted 87 Members. Of Nationalists, there voted 34 for and none against, which is 100%. Of Unionists, there voted 27 for and 25 against, which is 51.9% for. The total vote for is 71.26%. I declare the amendment carried.

*Amendment accordingly agreed to.*

*Standing Order 9, as amended, agreed to.*

**Standing Order 10 (Sittings and Adjournments of the Assembly)**

*Amendments Nos 1A, 1B, 2A and 2B not moved.*

*Standing Order 10 agreed to.*

**Standing Order 11 (Earlier Meetings of the Assembly) agreed to.**

**Standing Order 12 (Public Business)**

*Amendment (No 36) made:* In paragraph (1), after “Bills”, insert “Statutory Committee Reports”. — [Mr P Robinson]

*Standing Order 12, as amended, agreed to.*

**Standing Order 13 (Private Business) agreed to.**

**Standing Order 14 (Seconders) agreed to.**

**Standing Order 15 (Amendments)**

*Amendment (No 35) made:* In paragraph (4) leave out “during debate” and insert “before a division is called”. — [Mr P Robinson]



*Standing Order 15, as amended, agreed to.*

**Standing Order 16 (Delaying Motions)**

*Amendment (No 34) made:* After paragraph (1) insert the following new paragraph:

“Where a motion is made for the adjournment of a debate the motion shall specify the length of adjournment and in any case it shall not be for a period greater than 7 days. The Speaker shall not permit more than one adjournment on the same debate except by leave of the Assembly.” — [Mr P Robinson]

5.00 pm

*Amendment (No 33) made:* In paragraph (2) leave out “propose” and insert “put”. — [Mr P Robinson]

Standing Order 16, as amended, agreed to.

**Standing Order 17 (Speeches in the Assembly)**  
*agreed to.*

Standing Order 18 (Statements)

*Amendment (No 31) made:* In paragraph (4), at end, add

“The Speaker shall determine the time period taking into consideration the content of the statement, the number of Members wishing to ask questions and the pressure of other business” — [Mr P Robinson]

*Amendment (No 32) made:* In paragraph (4), leave out “be limited to” and insert “last no more than”. — [Mr P Robinson]

*Amendment (No 30) made:* In paragraph (5) leave out all the words after “Debate” and add

“unless, by leave, the Assembly determines to dispense with this requirement.” — [Mr P Robinson]

Standing Order 18, as amended, agreed to.

Standing Order 19 (Questions)

*Amendment (No 29) made:* After paragraph (12), add the following new paragraph:

“The sequence that questions are taken shall be determined by ballot carried out by the Speaker.” — [Mr P Robinson]

Standing Order 19, as amended, agreed to.

**Standing Order 20 (Private Notice Questions)**  
*agreed to.*

Standing Order 21 (Adjournment Debates)

*Amendment (No 28) made:* In paragraph (1), leave out “proposed” and insert “put”. — [Mr P Robinson]

*Amendment (No 27) made:* After paragraph (2), add the following new paragraph:

“Where the subject matter of an adjournment debate is the responsibility of a member of the Executive Committee 10 minutes shall be allotted for a Ministerial response at the end of the debate.” — [Mr P Robinson]

Standing Order 21, as amended, agreed to.

Standing Order 22 (Public Petition)

**The Initial Presiding Officer:** In the proposed new paragraph the word “related” on the Marshalled List should be “relate”, and the words “as defined in Section 6(2)” on the Marshalled List should be “as defined by exception in Section 6”.

*Amendment (No 26) made:* After paragraph (2), add the following new paragraph:

“A petition shall relate to matters that are within the legal competence of the Assembly as defined by exception in section 6 of the Northern Ireland Act 1998.” — [Mr P Robinson]

Standing Order 22, as amended, agreed to.

**Standing Order 23 (Presentation of Papers and Accounts)** *agreed to.*

Voting

**The Initial Presiding Officer:** *We move to the third set of amendments. The first of these is No 83, which stands in the name of Mr Peter Robinson.*

**Mr P Robinson:** *This amendment, if moved, would have the purpose of inserting after paragraph (2) of Standing Order 25 the following new paragraph:*

“the election of the First Minister and Deputy First Minister shall require parallel consent.”

The amendment relates to a matter concerning the election system that is operating in the Assembly. At least three mechanisms are employed — parallel consent, the issue of cross-community support and the simple majority. I felt that it was important to have the definition of the two less-well-known voting procedures included in Standing Orders.

During the debate on the motion to take note of the report, one of the joint Chairmen said that the Committee would consider producing a consolidated document covering all the matters relating to the Assembly. Therefore it might be appropriate not to move amendment No 83, and leave it to the Committee to work on as part of its consolidation. It deals with one of the areas in which the parallel consent mechanism will operate, but as Mr McFarland has pointed out privately to me, that would take the issue of the election of the First Minister and Deputy First Minister out of its proper sequential position in the Standing Orders.

I am quite content not to move this amendment unless there is any strong feeling that I should.

I want to move the amendments which include definitions of cross-community support and parallel consent, as set out in the Northern Ireland Act 1998 and, indeed, in the Belfast Agreement. There was a heading for amendment No 23, which deals with cross-community support, just as there is for amendment No 50, which deals with parallel consent. This simply reflects the way that it would be set out in the Standing Orders.

There is also an error in amendment No 25 as set out on the Marshallled List. The reference to Standing Order 26(b) should be to Standing Order 26(2)(b)". I consider Standing Order 26(2)(b) —

**Mr Campbell:** *Or not to be.*

**Mr P Robinson:** *It may not be.*

Sub-paragraph (b) is unnecessary because paragraph (2)(a) allows the Speaker to determine whether there is sufficient agreement in the Assembly for a Division to be called. If it is not possible for parties to provide two Tellers, clearly there will not be a Division.

We have seen from proceedings to date that there will not be a Division unless Members force one. Some Members said "No" in votes on amendments, but we did not get to the stage where the Initial Presiding Officer felt it necessary to call a Division. Likewise, when Members from one of the smaller parties feel that they would like to have their views on a particular matter recorded, it is quite likely that the Speaker, under the terms of paragraph (2)(b), would decide that there is no need for a Division, as the number of Members calling for it is so small.

However, if we remove sub-paragraph (b), smaller parties will be able to force Divisions, as long as they can nominate Tellers. That seems appropriate in instances where they feel strongly about a particular issue. The removal of this sub-paragraph would not reduce the effectiveness of the Assembly in that regard, and the Speaker would still have considerable discretion in cases where parties cannot nominate the necessary Tellers.

Those are the only issues I wish to raise on this group of amendments.

**Mr Haughey:** *The SDLP is prepared to support amendment No 83, even though it might be regarded as superfluous. Mr Robinson referred to the fact that I said that we would probably produce a consolidated compendium of Standing Orders, incorporating not only the Standing Orders agreed here, but also the relevant sections of the Northern Ireland Act 1998 and of the agreement. If the Member who moved the amendment is happy to withdraw it, we would be content with that.*

With regard to amendment No 25, we have some reservations about the withdrawal of Standing Order 26(2)(b). We would oppose that.

**Mr McFarland:** *I am slightly concerned because there are three areas, and Mr Robinson has referred to them already — amendments 83, 23 and 50 — which repeat sections of the Act. As I understand it — and I am a late arrival to the Standing Orders Committee — the policy of the Standing Orders Committee is clear, and the whole set of Standing Orders is predicated on the understanding that areas of the Act are not repeated in the Standing Orders, except on very specific occasions.*

If that policy were to be changed it could have a knock-on effect right through the Standing Orders. If the Member was willing to withdraw those three areas and allow the Standing Orders Committee to re-examine whether there are areas of the Act that need to go into the Standing Orders, that would be a slightly more satisfactory option than voting today.

**Mr Dodds:** *Members have seen today how the initial Standing Orders are operating given that we have to vote by recorded vote. Many Members who are on councils know that that is the way that voting operates, but it is not very satisfactory. It is a long, drawn-out process. The type of voting system set forth in Standing Orders 24 to 26 will mark a major improvement in terms of voting by Division and going through the Lobbies. It will be a much more efficient system, and it is modelled very closely on what happens in other places.*

However, the Standing Orders Committee did say — I am sure that the Chairmen will back me up on this — that the question of voting systems would be looked at again, given the advances in technology. Again this is an issue which we will leave to see how it works in practice, but I am sure that it will be a major advance on the current system.

I raised the matter of 26(2)(b) with officials because I, like Mr Robinson, was concerned that it might be unnecessary and might be used against small parties — indeed, any party — which wanted to force a Division in order to have a vote recorded. The Speaker might use this power to deny that opportunity to parties. If parties want their vote to be recorded, that should be their right. For example, in councils if one member demands a recorded vote, the vote is recorded. Therefore in a legislative body a party should have the right to insist that its votes be recorded. That is essentially why the proposal is being made in relation to 26(2)(b).

Amendment No 24, in Mr Robinson's name, relates to a petition of concern. The Standing Orders Committee had included this Standing Order, but it is in the wrong place. If Members look at Standing Order 53(5) as drafted in the

compendium of Standing Orders, they will find that the Standing Order has been placed there. Members agreed that there should be a Standing Order in relation to a petition of concern.

I think it was Mr Farren of the SDLP who said that he wanted to come back to this issue. Members looked at this Standing Order and agreed the text of it, but it has somehow ended up in 53(5), which deals with equality. However, it is a much more general Standing Order. Therefore what Mr Robinson is proposing, quite rightly, is to take it out of the equality section and put it into the voting section where it belongs.

5.15 pm

As far as the other matters are concerned, this is a repeat of what is in the Act. I heard what Mr McFarland has said, and this is clearly a matter which the Assembly can decide. It is something that might be more sensible to have complete, in that sense, when we are dealing with voting. But it is a matter for the Assembly to decide. These are important provisions, and the section on voting will mark a major improvement in the way that work is carried out in the Assembly.

**Mr Farren:** The point relating to the petition of concern is to some extent well-made. Does it not follow that there is no need for the petition of concern in the equality section, in which it now appears, because it is couched in the general terms which are required for its general application to our proceedings? If this amendment were adopted, would this Standing Order be repeated unnecessarily?

**Mr Dodds:** When we come to those amendments we can look at that.

**Mr Durkan:** Mr Robinson has proposed an amendment which would remove the duplicated reference.

**Mr Dodds:** I am grateful to the Member for that.

**The Initial Presiding Officer:** Mr Robinson referred to amendments 83, 25, 23 and 50, but I do not think that he referred to No 24. I am not sure whether he was to speak to that amendment at this point.

**Mr P Robinson:** Amendment 24 is one where we do not have a choice. Section 42 of the Northern Ireland Act 1998 says

(1) "If 30 members petition the Assembly expressing their concern about a matter which is to be voted on by the Assembly, the vote on that matter shall require cross-community support.

(2) Standing orders shall make provision with respect to the procedure to be followed in petitioning the Assembly under this section, including provision with respect to the period of notice required."

This is one of the instances where there was a requirement in the legislation which had not been met by the report from the Committee on Standing Orders. Mr Dodds indicated that we had taken from section 53(5). However, subsection (5) relates to paragraph 1 of the proposed new Standing Order under amendment No 24. We have had to add paragraph (2) to comply with the legislation. That fulfils the period-of-notice requirement.

**The Initial Presiding Officer:** There are no further requests from Members to speak, so we come to the decisions on these Standing Orders and the group of amendments.

**Standing Order 24 (Closure of Debate) agreed to.**

Standing Order 25 (Voting — General)

**The Initial Presiding Officer:** Is amendment No 83 moved or not moved?

**Mr P Robinson:** Not moved.

Standing Order 25 agreed to.

Standing Order 26 (Voting where the Speaker's Decision is Challenged)

*Amendment (No 25) proposed:* Leave out all the words after "may" and add

"call for the nomination of tellers and divide the Assembly in the manner provided below."— [*Mr P Robinson*]

*Question put* That the amendment be made.

The Assembly divided: Ayes 31; Noes 53.

AYES

Unionist

Fraser Agnew, Paul Berry, Norman Boyd, Gregory Campbell, Mervyn Carrick, Wilson Clyde, Nigel Dodds, David Irvine, Oliver Gibson, William Hay, David Hilditch, Billy Hutchinson, Roger Hutchinson, Gardiner Kane, Robert McCartney, William McCrea, Maurice Morrow, Ian Paisley Jnr, Edwin Poots, Iris Robinson, Mark Robinson, Peter Robinson, Jim Shannon, Jim Wells, Cedric Wilson, Sammy Wilson.

Other

Eileen Bell, Seamus Close, David Ford, Kieran McCarthy, Monica McWilliams.

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NOES

Nationalist

Alex Attwood, P J Bradley, Joe Byrne, John Dallat, Bairbre de Brún, Arthur Doherty, Mark Durkan, Sean Farren, John Fee, Tommy Gallagher, Michelle Gildernew, Carmel Hanna, Denis Haughey, Joe Hendron, John Kelly, Patricia Lewsley, Alban Maginness, Donovan McClelland, Alasdair McDonnell, Eddie McGrady, Gerry McHugh, Eugene McMenamin, Pat McNamee, Francie Molloy, Conor Murphy, Danny O'Connor, Dara O'Hagan, Eamon O'Neill, Sue Ramsey, Brid Rodgers, John Tierney.

Unionist

Ian Adamson, Billy Armstrong, Roy Beggs, Billy Bell, Esmond Birnie, Joan Carson, Fred Cobain, Robert Coulter, Duncan Shipley Dalton, Ivan Davis, Sir Reg Empey, Sam Foster, Sir John Gorman, Derek Hussey, Danny Kennedy, James Leslie, David McClarty, Alan McFarland, Michael McGimpsey, Dermot Nesbitt, Ken Robinson, George Savage.

5.30 pm

**The Initial Presiding Officer:** There voted 84 Members. All 31 Nationalists voting voted No. Of the 48 Unionists voting, 54.2% voted Aye. The total number of Ayes being 36.9%, the amendment is lost.

Amendment accordingly negatived.

Standing Order 26 agreed to.

*Amendment (No 24) made:* After Standing Order 26 insert the following new Standing Order:

“(1) A Petition of Concern in respect of any matter shall be in the form of a notice signed by at least 30 Members presented to the Speaker. No vote may be held on a matter which is the subject of a Petition of Concern until at least one day after the Petition of Concern has been presented.

(2) Other than in exceptional circumstances, a Petition of Concern shall be submitted at least one hour before the vote is due to occur. Where no notice of the vote was signalled or such other conditions apply that delay the presentation of a Petition of Concern the Speaker shall determine whether the Petition is time-barred or not.” — [Mr P Robinson]

*Amendment (No 23) proposed:* After Standing Order 26 insert the following new Standing Order:

“In relation to a vote on any matter ‘cross-community support’ means (a) the support of a majority of the Members voting, a majority of the designated Nationalists voting and a majority of the designated Unionists voting; or (b) the support of 60 per cent of the Members voting, 40 per cent of the designated Nationalists voting and 40 per cent of the designated Unionists voting.” —

[Mr P Robinson]

*Question put* That the amendment be made.

The Assembly divided: Ayes 27; Noes 55.

AYES

Nationalist

Nil.

Unionist

Fraser Agnew, Paul Berry, Norman Boyd, Gregory Campbell, Mervyn Carrick, Wilson Clyde, Nigel Dodds, David Ervine, Oliver Gibson, William Hay, David Hilditch, Billy Hutchinson, Roger Hutchinson, Gardiner Kane, Robert McCartney, William McCrea, Maurice Morrow, Ian Paisley Jnr, Edwin Poots, Iris Robinson, Mark Robinson, Peter Robinson, Jim Shannon, Jim Wells, Sammy Wilson.

Others

David Ford, Kieran McCarthy.

NOES

Nationalist

Alex Attwood, P J Bradley, Joe Byrne, John Dallat, Bairbre de Brun, Arthur Doherty, Mark Durkan, Sean Farren, John Fee, Tommy Gallagher, Michelle Gildernew, Carmel Hanna, Denis Haughey, Joe Hendron, John Kelly, Patricia Lewsley, Alban Maginness, Donovan McClelland, Alasdair McDonnell, Barry McElduff, Eddie McGrady, Gerry McHugh, Eugene McMenamin, Pat McNamee, Francie Molloy, Conor Murphy, Danny O'Connor, Dara O'Hagan, Eamon O'Neill, Sue Ramsey, Brid Rodgers, John Tierney.

Unionist

Ian Adamson, Billy Armstrong, Roy Beggs, Billy Bell, Esmond Birnie, Joan Carson, Fred Cobain, Robert Coulter, Duncan Shipley Dalton, Ivan Davis, Sir Reg Empey, Sam Foster, Sir John Gorman, Derek Hussey, Danny Kennedy, James Leslie, David McClarty, Alan McFarland, Michael McGimpsey, Dermot Nesbitt, Ken Robinson, George Savage.

Other

Monica McWilliams.

**The Initial Presiding Officer:** There voted 82 Members: 32 Nationalists, none of whom voted for, and 47 Unionists, 53.2% of whom voted yes. The total percentage of Ayes being 32.9%, I declare the amendment lost.

Amendment accordingly negatived.

5.45 pm



**The Initial Presiding Officer:** A m e n d m e n t  
No 50: moved or not moved?

**Mr P Robinson:** This amendment, whose purpose was to insert

“In relation to a vote on any matter ‘parallel consent’ means the support of a majority of the Members voting, a majority of the designated Nationalists voting and a majority of the designated Unionists voting.”,

as a new Standing Order, is not moved.

**The Initial Presiding Officer:** That being the case, we have come to the end of the consideration of this group of amendments and of this section of the compendium. I said at the start, which was about

three hours ago although it seems longer, that we would try to get to Standing Order 41, which deals with ministerial appointments. However, with 15 minutes to go we have come to the end of a group.

We have dealt with 28 amendments. There are 65 to go, so we have dealt with just under a third of the amendments. We have dealt with 26 Standing Orders out of 71, which is just more than a third, in about three hours. I sense that at this rate we should be able to finish our business tomorrow. I hope that I have sensed the mood of the House. I suggest that, by leave of the House, the sitting be suspended now and resumed at 10.30 tomorrow morning, continuing if necessary until 10.00 tomorrow night.

The sitting was suspended at 5.48 pm.