

# Official Report (Hansard)

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# Northern Ireland Assembly

Friday 28 February 2014

*The Assembly met at 12.00 noon (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

**Mr Allister:** On a point of order, Mr Speaker. In view of your rejection of all amendments tabled, can you give an assurance that representatives of all parties in the House will be called to speak in this important debate?

**Mr Speaker:** I assure the Member that I will try to get as many Members in as possible. I will say something at the start of the debate about that issue.

## Private Members' Business

### Judgement in the Case of R v Downey

**Mr Speaker:** Having been given notice by not fewer than 30 Members under Standing Order 11, I have summoned the Assembly to meet today for the purpose of debating the motion that appears in the Order Paper.

The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Looking at the point of order that Mr Allister raised and because there is an extensive list of Members who want to make a contribution, I will apply very strict time limits to Members this afternoon. I expect Members to police their own timings, but, if they do not, I will police the timings. I ask Members for their cooperation because, as I said, quite a number of Members want to make a contribution. If that is clear, we can move on.

**Mr P Robinson:** I beg to move

*That this Assembly notes with grave concern the detail contained within the judgement of Mr Justice Sweeney in the case of R v Downey; expresses disgust at the heretofore deliberately hidden actions of the British Government and Sinn Féin revealed in the judgement of issuing these letters to those described as "on-the-runs" and the detrimental consequence of those acts to justice; further notes the undermining impact such disclosures will have on recent discussions on dealing with the past; and calls on the British Government to urgently and effectively address the gross injustice to the many victims who will suffer further because of these shameful actions and wider damage to the rule of law and to take swift action to rebuild*

*confidence and trust by conducting a judge-led inquiry.*

At its very heart, this issue concerns public confidence in the administration of justice and the rule of law. It deals with the trauma of victims and relates to the right of the Assembly to have knowledge of matters that are within its devolved competence.

The outcome of the Downey case was morally outrageous and an affront to justice, but, more than that, it exposed to the full glare of public attention a scheme that had been agreed well over a decade ago between Sinn Féin and the United Kingdom Government. It was followed by outrage, which, I have to say, was not manufactured or synthetic; it was real. It was outrage felt by victims and those in the political process that they had been bypassed by the British Government and Sinn Féin.

What do we want to happen as a result of where we are now? We want to find out who knew what and when about letters being made available to on-the-runs (OTRs). We want to be sure that what happened in the Downey case never happens again. We want to be sure that the recipients of the letters cannot rely on them to avoid questioning or prosecution on the basis of information or evidence that is now or may later become available.

There have generally been three approaches to the issue. The first has been an attempt to confuse. There is the claim that everyone, including the general public, knew about the secret letters and the process. Of course, everybody in the general public knew that there were on-the-runs. Everybody in the general public was well aware that Sinn Féin had been pressing the Government on the issue. Everyone was aware that Tony Blair and others had indicated that there was an anomaly. However, I do not believe that anybody in the House other than Sinn Féin was aware that there was an administrative process and the provision of letters of comfort to on-the-runs. It is no surprise that local parties were not told anything about the deal, because, in the court judgement, it is stated that Mr Adams expressed this view:

*"it would be better if there was an invisible process for dealing with OTRs".*

That may, indeed, explain why this was done in secret. On 'The Nolan Show' on television, the representative for North Belfast Mr Kelly admitted that unionists were kept in the dark because, if they had known, there would have been a crisis.

The second approach to dealing with the issue is to ignore the central issues and attempt to use the matter for cheap party political purposes. There are those who may wish to hide in the cupboard and whinge, but they secured absolutely nothing from the Government. *[Interruption.]*

**Mr Speaker:** Order.

**Mr P Robinson:** Why is it that those who make the most noise often accomplish the very least?

The third approach, which is that of my party and, I am glad to say, of others, is to use the apparatus that is available to get questions answered, to get to the truth, and that is the approach that we will seek to take.

Let me make it clear that this British Government/Sinn Féin scheme is and was wrong. Many people considered that it had the impact in the Downey case of providing an effective amnesty. The scheme has the impact of doing what Parliament refused to do and doing it in a clandestine and inequitable fashion. This incident raises fundamental issues that demand answers. We now have a judge-led independent inquiry. The terms of reference give the judge the role of making recommendations about any related matter that is drawn to the attention of the inquiry. That gives each of us the opportunity to draw issues to the attention of the inquiry.

It is essential that we get to the truth of all that went on in order to restore public confidence, which has been so seriously damaged by this murky deal. I heard one always-negative politician say that it will simply be a paper exercise. I would be very surprised if an inquiry into the provision of 200-plus letters did not involve looking at government papers. However, the terms of reference make it clear that the judge has the ability to take evidence from those involved in government, the police and elsewhere. That obviously includes victims.

**Mr Allister:** Will the First Minister give way? Will he give way?

**Mr Speaker:** Order. The Member should not persist.

**Mr P Robinson:** Contained in the judgement is also evidence that the royal prerogative has been used in a number of cases, so it appears that some people's republicanism has its limits. The royal prerogative of mercy, of course, is used for those who have committed criminal

offences. Therefore, we are talking not just about people whom there is no police desire to question or prosecute but about people who have been convicted in the courts and have been allowed to go free or people who have escaped and have now returned, covered by a pardon.

This was not just an omission by the Government of the day; it was a deliberate deception. The Democratic Unionist Party made its position on OTRs clear before, during and after the St Andrews Agreement. Indeed, when there was some speculation in the media that the Blair Government had given Sinn Féin some assurances on the issue, Dr Paisley wrote to the Prime Minister in the following terms:

*"In the past concessions which were made to republicans in order for them to be persuaded to meet the standards which apply to all other political parties have been destabilising to the process. I would like your reassurance that no such concessions have been made to republicans on this occasion. In particular, you will recall — from St Andrews, and before — the importance that we place on no measures being taken of any kind to allow OTRs to return free from the fear of arrest. At that time you assured us that no action would be taken in this area. This is in stark contrast with the undertakings which Gerry Kelly has publicly indicated that you have given to Sinn Fein. For the avoidance of any doubt I would be grateful if you could once again clarify the position."*

The answer that there were no plans to legislate and no amnesty would be introduced was a deliberate deception. It was a deception by omission, for the Government could easily at that stage have indicated that an administrative process that included giving letters to OTRs was under way.

Let me deal with the status of the letters. The public concern about the letters related to the extent that the recipients could avoid questioning or future prosecution. The inquiry must satisfy the public that never again will any individual be able to use such a letter as a get-out-of-jail card, but we must also ensure that no investigation is hindered or questioning prevented by anything in these letters. The Secretary of State's agreement states:

*"We will take whatever steps are necessary to make clear ... in a manner that will satisfy the Courts ... that any letters issued cannot be relied upon to avoid questioning or*

*prosecution for offences where information or evidence is now or later becomes available".*

That makes it clear, in all cases, that the letter — I understand that there are many variations of the OTR letter — cannot be used as a free pass. If the Secretary of State's statement is implemented, the letters cannot be relied on to avoid justice. The letters would have no substance or status in any court in the future. If the Secretary of State's statement is not implemented, we will be returning to these issues.

The outcome of the inquiry must be to ensure that nobody can ever again evade questioning, prosecution or justice because they hold such a letter. Furthermore, we need a clear explanation of why devolved Ministers were kept in the dark about a process that was still ongoing — as we heard today, it is still ongoing, even today — after policing and justice powers had been devolved to this Assembly. Indeed, it appears that the fag end of this process is still going on. There can be no more basic requirement for any government Minister than to be made aware of matters that relate to their individual responsibilities as Ministers and collectively as an Executive.

The impact of the recent revelations on the leaders' talks process has yet to be fully assessed. However, for me, it is clear that we were kept in the dark over key issues of which it would have been necessary for us to be aware during those proceedings. It is already clear that proposals that have been considered will now have to be seriously re-evaluated.

Mr Speaker, I commend the motion to the House.

**Mr M McGuinness:** Go raibh maith agat, a Cheann Comhairle. I have spoken previously about my frustration at the failure to date of the parties to agree a way forward on dealing with the past. Again, I believe that issues regarding the past are being used to poison the present. Our efforts need to be refocused on the proposals that were published by Richard Haass and Meghan O'Sullivan and that have been under discussion by the party leaders for the past two months.

**12.15 pm**

I am frustrated that the stability of these institutions has been irresponsibly threatened this week and that a sense of crisis has replaced the focus that is much needed to get

agreement on issues relating to the past. I am frustrated that those historically opposed to the peace process and to power sharing are being allowed to chip away at the process by using legacy issues as a vehicle to pursue their negative and rejectionist agenda. I have never kowtowed to the actions of so-called republican dissidents. I am frustrated that those on the extreme loyalist fringe are able to shape the behaviour of the two main unionist parties by using these issues at a time when there is a crisis in our A&E services and our most vulnerable are under threat from proposed Tory welfare cuts. I am frustrated that we are here discussing a motion that is as irresponsible as the threat to collapse the Assembly. Today's recall and motion are about the upcoming elections and political posturing in unionism. Frankly, I believe that the people deserve better. Politicians are elected to lead, and the peace process has been built on strong political leadership. Political leaders have stepped out of their political comfort zone and taken risks for peace. At many times throughout this process, I could have walked away. I could have threatened to resign. I have not done that. I have sought solutions and agreement, and we have progressed to where we are today because of those agreements. The peace and political process needs to be defended, protected and promoted by all political leaders; it certainly does not need to be threatened.

As the peace process developed, a large number of legacy issues were thrown up. Some have been successfully resolved; many others remain outstanding. One such legacy issue is the OTRs. The British and Irish Governments, at Weston Park, made a commitment to resolve the issue. I quote their statement:

*"Both Governments ... recognise that there is an issue to be addressed, with the completion of the early release scheme, about supporters of organisations now on cease-fire against whom there are outstanding prosecutions, and in some cases extradition proceedings, for offences committed before 10 April 1998. Such people would, if convicted, stand to benefit from the early release scheme. The Governments accept that it would be a natural development of the scheme for such prosecutions not to be pursued and will as soon as possible, and in any event before the end of the year, take such steps as are necessary in their jurisdictions to resolve this difficulty so that those concerned are no longer pursued."*

Yet, seasoned politicians in the House have appeared on the media in recent days pretending not to know this. The scheme being used is not an amnesty, and it is not some get-out-of-jail-free card. It seems to me that some here, who have for years been beating a law and order drum, now have difficulty accepting the word of the British Attorney General about the legality of this scheme. Dominic Grieve has said that the process to resolve some of the OTR cases was a lawful process, so the political and peace process is brought to the point of crisis for no good reason. This is irresponsible. It is knee-jerk politics. I believe that we need to move quickly from the events of the past few days. Let us step up to the plate and start grappling with the real issues, not manufactured ones. There are issues and real crises in our society. If we are to get really serious about delivering for victims and survivors — I am — and if we are really serious about delivering for communities and Orange Order parades — I am — if we are really serious about having — *[Interruption.]*

**Mr Speaker:** Order. Will the Member bring his remarks to a close?

**Mr M McGuinness:** If we are really serious about having a mature debate about flags, symbols and identity — I am — there is no alternative but to return to the Haass blueprint and build on that progress.

**Dr McDonnell:** I want to remind the House that we find ourselves in a difficult place, a place that we should not be in, a place that could and should have been avoided and perhaps in a crisis of some sort that we did not need. Only six weeks ago, I stood here and stated that I believed that progress could be achieved in the Haass process but progress must be achieved for the benefit of victims and survivors in dealing with the past as a whole.

Civic society, particularly victims and survivors with substantial engagement and input into the Haass process, proved to be the strongest part of the Haass process. Victims yet again demonstrated a strong desire for resolution of the issues. It is for victims and survivors that I feel and for victims and survivors that we must deal comprehensively and ethically with the past. If disgust is expressed in the Chamber today, it must be for and on behalf of victims. They have already suffered so much, and the revelations of the past few days compound much of the trauma. In the Downey case, we must all sympathise with the victims and survivors of the Hyde Park bombing. Family and friends of those killed and, beyond that, all



victims and survivors deserve our sympathy. Their grief has been provoked yet again by the situation that has arisen.

I will summarise. There seems to have been some sort of arrangement in 2000 for a temporary ad hoc scheme to deal with an anomaly in terms of people who were on the run, were wanted for questioning or thought they were wanted for questioning. That worked in a small way. Then, in 2005, the British Government attempted to legislate for a side deal that they made with Sinn Féin regarding the on-the-runs, and, for many people, that was a trade-off for the many in the security forces who had serious questions to answer about some of their behaviour here. Peter Hain claims — if we can trust him — that, having asked for and approved the legislation, Sinn Féin was then pressurised by the SDLP to oppose it. Newton Emerson even tells a slightly different version of that story in yesterday's 'The Irish News'. To many out there, there are hints of secrecy, and, in the mystery of some of those deals, there are hints of some sort of collusion.

The way the British Government got round this is worth noting in some detail, because they showed how cynical they were and the cynicism that they embraced. The cynicism we were up against was Peter Hain and the British Government working with Sinn Féin to demonstrate contempt for our parliamentary democracy and antipathy and disdain for victims. The structures of government must be and must be felt to be fully accountable to our people. Power must ultimately and fundamentally lie with the people on the street: the citizen. That is far from the place that we find ourselves in today. As my colleague Mark Durkan said yesterday, we did not work so hard to end a dirty war just to end up with a dirty peace.

We do not even yet know all the details of all the issues involved, and the great difficulty is that we do not even know what other secret deals have been done. We do not know the exact parameters of the discussion. However, we now must know if there are any other secret deals and who they are with. It is impossible to have a proper informed debate on issues that have not been fully disclosed. We must know and get all the information, and we must achieve honesty, openness and transparency around all the issues, starting by rejecting any possibility of secret deals, going forward. It is imperative that we do all that we can to engender trust, given the damage that has occurred through recent developments. We cannot allow the potential to address the past on a comprehensive and ethical basis to be

lost. If one thing has come out of the fallout from the Downey judgement and its consequences, it is the reiteration that the past can only be properly addressed on a comprehensive basis and that this must be progressed urgently. We cannot allow highly unethical dealings to result in the collapse of our institutions or to undermine the good work done to create reconciliation in our society. Parties to the Haass and O'Sullivan talks and the British and Irish Governments respectively must re-engage and act decisively on addressing the past. Otherwise, it will come back to bite us again and again.

**Mr Speaker:** Will the Member bring his remarks to a close?

**Dr McDonnell:** We must all continue to strive to embed the trust and build a stronger, more prosperous and better shared future in Northern Ireland.

**Mr Nesbitt:** All citizens are subject to the law, but some citizens are less subject than others. George Orwell coined the original phrase as a warning. "Don't go there", he said. We have gone there.

The scheme is perverse. You expect a loved one to phone the police and say, "Do you have any evidence about who committed the murder?". You do not expect the murderer to be able to phone the police and say, "Do you have any leads that would end up with me going to prison?". It is a perversion of justice.

Listening to Radio Ulster this morning, I was amazed to hear the Justice Minister say that he is baffled by what is going on. He is in charge. Let me remind the House that, at Hillsborough in 2010, this party argued against the devolution of policing and justice. We said that it was a bad idea and that the time was not right. Now we discover that we were right.

All citizens are protected by the National Crime Agency (NCA) — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Nesbitt:** — but some citizens are less protected than others — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Nesbitt:** — because of mistakes. Let us remember also that, during those talks at Hillsborough, Sinn Féin sat knowing about the letters. It was not just during Haass nor the

meetings of party leaders over the past two months.

As recently as Monday, Martin McGuinness encouraged me to sign up to the historical investigation unit — a second police force with full police powers and no operational accountability to anybody. I knew that IRA weapons were beyond use evidentially, but I did not know what he knew: that operatives had a get-out-of-jail-free card. Let me be clear: for the Ulster Unionist Party, not only is Haass over but the meetings of the party leaders are over. They are over because of Sinn Féin and because of bad faith.

We are here for the benefit of 1.8 million —

**Mr Speaker:** Order. The Member should not point.

**Mr Nesbitt:** Thank you, Mr Speaker. We are here for 1.8 million people, not 200. Sinn Féin is going to risk the whole thing for 200 people. We do not even know who they are. We have a fair idea, and we have a fair idea of what they have done, but only they know. It is selfish and greedy. Of course, it is selfish. Sinn Féin — the clue is in the title: Ourselves Alone. It is greedy because, having got the prisoners out, it could not help itself in going for the on-the-runs. All citizens are subject to the law —  
*[Interruption.]*

**Mr Speaker:** Order.

**Mr Nesbitt:** — but some less so than others in this country.

Paragraph 126 of Justice Sweeney's ruling makes it clear that John Downey was wanted not just for Hyde Park but in connection with a bomb in Enniskillen in 1972, in which two members of the security forces died. Is he making himself amenable to the police this weekend to clear his name? No, he is going partying.

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

**Mr Nesbitt:** I will give way.

**Mr Kinahan:** I know that many of you will know that this is very, very personal to me. When I was asked for a photograph of Lieutenant Daly, one of my best friends, I did not have any because he was blown to pieces.

Last night, a tweet was put out by Mr Weir saying that we had "a victory for victims". We also heard last night that Mr Downey will not

face prosecution. Tell that to the Blues and Royals families, tell that to the Royal Green Jackets families, tell that to any of those who were hurt by the 187 on-the-runs and many more.

All that we seem to be getting through the inquiry is something that will clear up misunderstandings. Let us get back to the rule of the law and to a process that brings in justice.

**Mr Speaker:** I ask the Member to bring his remarks to a close. Interventions should be short.

**Mr Kinahan:** Thank you. Let us have decency and integrity.

**Mr Speaker:** The Member has a minute added to his time.

**Mr Nesbitt:** I thank Mr Kinahan and acknowledge how difficult it has been for him over the past number of days. I know that he has been in touch with the families whose loved ones were murdered in Hyde Park at that time.

I heard Sammy Heenan on Radio Ulster this morning as well. He is a man who lost his father; I think that he was 15 when his father was shot. His father went out to work; the IRA were waiting for him; snuck up from behind; put him down on his knees; and put two bullets into the back of his head. Sammy Heenan does not think that this is a great victory for victims.

So, where do we go? We need answers, and we need an end to the scheme. It is not just a question of no more letters or whether the letters were mistakes. There should be no letters on the face of the planet in this matter. No comfort. If you are on the run, tell us why and come back and sort it out through the courts. Have the courage to come back and stand over your actions.

### 12.30 pm

This inquiry, we fear, is unlikely to cut it. It is not what we were told to expect, but we will input and demand that it looks at how this scheme came about, not just at how it was operated. If there is more, if there have been more dirty deals, tell us now because we took risks for peace. Sinn Féin and others just took and continue to take —

**Mr Speaker:** I ask the Member to bring his remarks to a close.

**Mr Nesbitt:** — and the Ulster Unionist Party says this in conclusion: enough is enough.

**Mr Ford:** There are many questions that need to be answered. We will, perhaps, see some of them coming from the judge-led inquiry, but we do not yet know how the appointed judge will interpret his terms of reference. The Alliance Party will set out questions that we believe need to be answered by the inquiry. We will seek to use it to restore confidence, but I —

**Mr Kennedy:** I am grateful to the Member for giving way. I appreciate that he is speaking as leader of the Alliance Party, but in respect of his ministerial responsibilities on policing and justice, will he undertake to make a full ministerial statement to the House at the earliest opportunity? Will he also confirm that none of the letters was used or was attempted to be used to provide defences against charges in Northern Ireland on his watch? Further, will he indicate that he is able and prepared to revoke and rescind the applications in the system?

**Mr Speaker:** The Member has an added minute. Once again, interventions should be short; they should not be statements.

**Mr Ford:** Mr Speaker, I may answer some of those points in what I say. I would, perhaps, have to seek your advice as to whether I could make a ministerial statement on something that is not my ministerial responsibility.

It may be that the inquiry will produce some answers that will give reassurance, but yesterday I met some members of the Northern Ireland Affairs Select Committee of the House of Commons. Most of the members from Great Britain were there as was the Member of Parliament for Belfast East. It is unclear whether that Committee believes that it will be satisfied with the inquiry. It may wish to set up its own inquiry. It is entirely appropriate that any further parliamentary inquiry should be conducted by the House of Commons Committee because this is a Northern Ireland Office, not a devolved, responsibility.

In making it clear that this is not an issue for the Department of Justice, let me remind Mr Nesbitt of one thing about the devolution of justice: if we did not have justice devolved here, this matter would be entirely the responsibility of the Northern Ireland Office, and we would have no opportunity in this House to discuss it.  
*[Interruption.]*

**Mr Speaker:** Order.

**Mr Ford:** We would have even less accountability than the problems that we have at present because as Minister —

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

**Mr Ford:** Briefly.

**Mr Allister:** I am obliged. The Member said that it is not a devolved issue, but if it is not a national security issue, and we have been told that it is not, how would it not be a devolved issue once policing and justice is devolved? If the situation is that someone in the NIO is usurping the Minister's position, when is he going to the High Court to quash the decisions made —

**Mr Speaker:** I must ask the Member to finish. Order.

**Mr Allister:** — since he took office?

**Mr Ford:** He misunderstood briefly. It is clearly not the Department of Justice's responsibility because it is a Northern Ireland Office scheme. I had an acknowledgement this morning from a senior official of the Northern Ireland Office that, contrary to what was being said by the NIO over the past couple of days that the issue was now devolved, they confirmed that they bear responsibility for the five cases still in the system. That is the absolute situation. It has nothing to do with the Department of Justice, and, as long as I am Minister of Justice, this tawdry scheme will in no way be related to the Department of Justice.

Today, it is inevitable that the House will vent its anger over the scheme on behalf of itself, party colleagues and, as Mr Kinahan just did, on behalf of victims, and not just the directly affected victims in Hyde Park but those who were victims throughout and who feel that they have been let down by the justice system. However, the question has to be: what next?

Mr Nesbitt said that the Haass process and the party leaders' process are over. I am glad that Mr Robinson used slightly more muted language. The reality is that, whatever emerges from whatever inquiries there may be, at the end of the day responsibility comes back to the Assembly, the five parties in the Executive, Ministers collectively and the House collectively to do something about dealing with the outstanding issues.

We can easily criticise; we have done, and will do, a lot of criticism on this issue. However, we bear responsibilities to change Northern Ireland

for the better. We have a duty to address the outstanding issues that have not yet been addressed by the Haass process or dealt with by the party leaders.

We have to ensure, for the needs of victims and the moral obligation that we owe them and the legal obligation that we owe the Council of Europe, that we put in place measures to deal with the issues of the past in an inclusive way that treats people equally. We also have an obligation to build a better future for the people of Northern Ireland. We have an obligation to deal with issues such as parading and flags, which have caused so much trauma and turmoil over the past 15 or 16 months.

It is simply not good enough to say that we put the blame today where the blame lies, with the Northern Ireland Office, on this issue. Whatever our differences this afternoon, we have to see whether we can build something different and a different, shared future for all our people. I am not sure whether it will be possible to get together in four-party talks over the next few weeks. Even if Mr Nesbitt wishes to absent himself, I do not believe that the rest of us should give up on our responsibilities. It may not be possible to get that in place while the inquiry is ongoing, although I believe that it should be. I am certainly committed to continuing that process.

If we cannot do it, maybe we need some way of engaging the wider public. Perhaps we, as an Executive, should formally put the Haass paper out for public consultation to hear what the people of Northern Ireland, including victims, think of it to help to shape the discussion when we get there. We need to ensure that we have a process that means that we can come together. Some day, whether it is next week or in three months' time, we will have to —

**Mr Speaker:** Please bring your remarks to a close.

**Mr Ford:** — return to this issue. We have a duty to build a shared future for all our people. That duty looks more difficult today, but it is all the more necessary today.

**Mr Givan:** At the heart of this issue are victims of terrorist violence and everyone in society being equal before the law and equally subject to the law. The secret deal that took place between Sinn Féin and the Blair-led Government, which was continued by the Conservative and Liberal coalition, to provide letters of comfort to republicans on the run was a denial of natural justice.

The Belfast Agreement was a betrayal of victims, but at least it had democratic legitimacy. This party campaigned ferociously against that agreement. The Ulster Unionists, the Alliance Party and others campaigned ferociously in favour of releasing prisoners and inflicting pain and hurt on victims who watched those people walk from jail. We campaigned against it, but ultimately the people voted for it in a referendum. This, however, had no democratic legitimacy. It had no basis in statute. It was an act of treachery on the part of the Government, who engaged in a dirty deal with republicans.

Of course, Peter Hain shamelessly comes on and says that it was necessary to buy off the Provos and necessary to deny these victims the opportunity or even the basic hope of ever getting justice, so that there could be peace. The denial of natural justice can never be justified.

**Mrs D Kelly:** I thank the Member for giving way. Does he now share our revulsion, and understand the revulsion of many in the nationalist community, that the British Government paid their informers and allowed agents of the state to wilfully murder Catholics and others? We share your anger at this dirty deal.

**Mr Speaker:** The Member will have a minute added on to his time.

**Mr Givan:** Here we have the irony that republicans, on the one hand, were given a de facto amnesty yet want to pursue people who served in the British Army and the Royal Ulster Constabulary. Is it any wonder that, when the deal put forward at Parliament was reneged on, Sinn Féin got its letter from Tony Blair to say, "I am going to get this sorted out before I leave office"? Sinn Féin knew that it had a deal with him but wanted to keep pursuing the state forces that they make all these allegations against. Therein lies the hypocrisy.

Imagine the Sinn Féin response if it had been announced three days ago that British soldiers involved in Bloody Sunday and other state actors, as they want to call them, had been given letters and a special scheme had been set up. Imagine the response of the Pat Finucane Centre, Amnesty International and the Relatives for Justice, all of whom have been silent when it comes to republicans, of course. The hypocrisy in it stinks to high heaven. This party was right to oppose it and take a stand against it.

We then have the doublespeak. Theresa Villiers said that it was a Labour scheme that she inherited and is now a devolved matter. Of course, we found out that 38 people had received such letters after it became a devolved matter. They continued with the scheme.

Alex Maskey said that unionists knew about it. Gerry Kelly said that it had to be kept a secret because there would have been a crisis. Basil McCrea said that he knew about this four years ago but kept it secret. I think that Members know that, if he knew something of that nature for four minutes, he could not keep it secret. What we can do in this inquiry is let him tell us what he knew. Did he tell his colleagues in the Ulster Unionist Party at the time? Let us have the inquiry so that we can ask David Trimble and Reg Empey what they knew. The inquiry will ask anyone who has information. We are not afraid of the truth; others are afraid of it.

There are people putting up a smokescreen. When Martin McGuinness is running about like Corporal Jones in "Don't panic, don't panic" mode, who is he really telling to calm down? I suspect that it is the comrades in the IRA that people on the Benches opposite are trying to calm down. They now know that the actions taken by my leader and this party have made these pieces of paper null and void.

Let me read into the record exactly what the Northern Ireland Office has said:

*"We will take whatever steps are necessary to make clear to all recipients of letters arising from the administrative scheme, in a manner that will satisfy the Courts and the public, that any letters issued cannot be relied upon to avoid questioning or prosecution for offences where information or evidence becomes available now or later."*

Cut through the distraction and the smokescreen and that is the fundamental issue that this party has now secured.

Others would say, "Let us go back to direct rule". My party leader and this party have used devolution to get the result that the on-the-runs are now again on the run. We have used devolution to get an inquiry and to let us get to the truth. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Givan:** Then we will see who is creating the smokescreen — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Givan:** — and the noises that they are now trying to throw up and distract us with. Let us have it on the record. All of us should be thankful. Mike Nesbitt never threatened to walk away from the Executive and David Ford never threatened to walk away from his post, but my party leader put his job on the line. He has got the end result, and we should all be thankful for it. *[Interruption.]*

**Mr Speaker:** Order.

**Mr G Kelly:** Go raibh maith agat, a Cheann Comhairle. Sinn Féin will vote against the motion. There seems to have been a lot of amnesia, historical revision and downright untruth peddled over the past couple of days. Let me put the record straight.

This was first raised in 1999 by Sinn Féin. There was a public announcement on 29 September 2000 that 21 named individuals were no longer being pursued. These are things that people seem to have forgotten. At Weston Park in 2001, it was described as an "anomaly". An implementation group was set up after that. In 2002, John Reid raised the issue in the British Houses of Parliament at Westminster. At Leeds Castle, a joint declaration was made in April 2003. Peter Hain wrote a letter to all MPs on 20 July 2005 and followed it up with a statement to Westminster on 13 October 2005. In that statement was the need to deal with the OTRs. As we now know, at the Policing Board, which the DUP, the SDLP and, I presume, the Alliance Party were involved in, it was raised in 2007.

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

**Mr G Kelly:** No, I will not. The Eames/Bradley report, which everybody read, I presume, since it was rejected — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Ford:** On a point of order, Mr Speaker. Is it in order for the Member to erroneously state that Alliance was on the Policing Board at the appropriate time? He may do that on the BBC, but he has no right to do it in the Chamber.

**Mr Speaker:** Order. The Member has that on the record. Mr Kelly has the Floor. Let us move on.

**Mr G Kelly:** Further to that point of order, Mr Speaker, if I can do that, that is not what I said, but anyway.

The Eames/Bradley report in 2009 was rejected by the DUP and others, and I presume that they all read it before they rejected it. It said that 200 names had been put forward, of which 150 had gone through the process. Peter Robinson says that he knew nothing about the process. However, in 2010, at the Policing Board again, the assistant chief constable started an answer by saying:

*"There is an ongoing process to resolve those individuals who mostly refer to themselves as 'on-the-runs'."*

Perhaps they did not hear that either.

**12.45 pm**

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

**Mr G Kelly:** I am not going to give way.

In Jonathan Powell's book — *[Interruption.]* If I may continue, Nigel Dodds and the First Minister were mentioned because they said that it was acceptable as long as it could be blamed on David Trimble. In the past few years, I understand, Arlene Foster and other elected representatives sat through a trial of Gerry McGeough —

**Mrs Foster:** You are right we did.

**Mr Speaker:** Order.

**Mr G Kelly:** — that was based entirely on the issue of OTRs as well, but you are saying, of course, that you did not know about it. *[Interruption.]*

**Mr Speaker:** Order.

**Mr G Kelly:** No one, at this point, believes the unionists and particularly the DUP. Let us go through it, because Paul Givan has started this off. The DUP was against absolutely everything. It was against the release of political prisoners, it was against demilitarisation — *[Interruption.]*

**Mr Speaker:** Order.

**Mr G Kelly:** It was against Patten and the new beginning to policing — *[Interruption.]*

**Mr Speaker:** Order.

**Mr G Kelly:** It was against the Good Friday Agreement, it was obviously against on-the-runs, it is against the Irish language and, since we talked about it supporting things that were democratically agreed to, it has not moved on human rights. It is against human rights, it is against equality, it is against the bill of rights and it is against the Civic Forum, all of which were agreed in the Good Friday Agreement.

In terms of the letter —

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

**Mr G Kelly:** A Cheann Comhairle, I will not.

Nobody seems to have seen the letter, or at least that is what they allege. Let me read it and put it into the record. I will put it into the Library shortly:

*"The Secretary of State for Northern Ireland has been informed by the attorney general that on the basis of the information currently available, there is no outstanding direction for prosecution in Northern Ireland, there are no warrants in existence, nor are you wanted in Northern Ireland for arrest, questioning or charge by the police."*

*"The Police Service of Northern Ireland are not aware of any interest in you from any other police force in the UK. If any other outstanding offence or offences come to light, or if any request for extradition were to be received, these would have to be dealt with in the usual way."*

Everybody now knows what the letter actually says. What this is, and I will put it in the Assembly — *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr G Kelly:** As for the issue of knowing the names, let us talk about the process. Although the process is concentrated on over 180 names, I can remember similar things happening many years ago. An individual comes forward and asks, "Am I being sought for anything?". They give their name and date of birth, and word comes back, as it did in these cases, saying, "No, we are not looking for you". That is confidential between the individual and those involved, so I do not even think that it is legal to make demands to know the names of those involved. *[Interruption.]*

**Mr Speaker:** The Member should bring his remarks to a close.

**Mr G Kelly:** We will vote against the motion. We should not be debating this matter; we should be dealing with the issues that Haass dealt with.

**Mr Poots:** I will hopefully bring a little sense to the debate after the last contribution.

In Northern Ireland this week, people felt a sense of betrayal, they felt a sense of anger and they felt a sense of distrust because their trust had been broken. The fact that this process started way back in around 2000 or 2001 without reference to Her Majesty's Parliament, this Assembly or the general public was a grievous breach of trust.

The fact that legislation could not be passed at Westminster on the issue was a clear demonstration that the public and Parliament rejected any notion of giving on-the-run a free licence or a get-out-of-jail-free card. The fact that Tony Blair, Peter Hain and others in government went into a one-sided immunity process that was offered to Provos and former Provos, while their representatives vigorously pursued everyone else so that they should be held before the law, is hugely damaging to confidence in the community. Thus, we are at the point at which we arrived this week, when our First Minister indicated that he would step down if something was not done, quite rightly so.

Mr Hain told us that this was necessary for the peace process. This is the Mr Hain that Mr Allister, for example, wanted to reign all-powerful in Northern Ireland. This is the Mr Hain who, snake-like, got up this week in the House of Commons to defend the dirty actions in which he was engaged and whom people such as Mr Allister wanted to continue to support.

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

**Mr Poots:** In Northern Ireland —

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

**Mr Speaker:** Order. The Member should not persist. *[Interruption.]* Order.

**Mr Poots:** If there was ever a demonstration of someone getting it wrong on an issue, it was so clear this week when we heard about the dirty deals that Mr Allister was prepared to allow Mr Hain, Mr Blair and others to engage in on behalf of the people of Northern Ireland. *[Interruption.]*

**Mr Speaker:** Order. Let us not have debate across the Chamber.

**Mr Poots:** I would be very happy to give way if Mr Allister was going to admit that he was wrong. I know that he does not have the guts to do that.

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

**Mr Poots:** I will, certainly. *[Laughter.]*

**Mr Weir:** The Member referred to Peter Hain. This is the Peter Hain who, on 'The Nolan Show' this week, started to refer to the released terrorist prisoners as political prisoners until he corrected himself mid-sentence. That is an indication of where Mr Hain is coming from on this.

**Mr Speaker:** The Member will have an added minute.

**Mr Poots:** I am happy to give way to a Member who was able to achieve the quota.

As I was saying, others may put their trust in Blair, Hain, Jonathan Powell and Alastair Campbell. We trust ourselves to deal with these issues, and we trust our party leader to deal with this issue. That is why we stand here in a stronger position today: we have an devolved leader who is able to take actions and take the right stand. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Poots:** What is important today is that, where people have done wrong and evidence exists that they have done wrong, they can be questioned, charged, tried, convicted and imprisoned for their wrongdoing. As a result of the Belfast Agreement of 1998, which was supported by colleagues on my right, justice was dealt a hammer blow. That process, however, allowed Gerry McGeough to serve just two years for the attempted murder of our colleague, Sammy Brush. That was bad enough, but for the Northern Ireland Office, with Her Majesty's Government and, indeed, the PSNI, to engage in a process that does not even bring people to court or question them is a further compounding of damage to trust in the community that justice will be done. Thankfully, as a result of the intervention of the DUP leader, these letters no longer have the resonance that they had in court earlier this week. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Poots:** Gerry Kelly may cling to the letters just as vigorously as he clung to the bonnet of the Land Rover, but they are now as robust as the case that he took against the PSNI on that Land Rover issue. I welcome the fact that the DUP took a stand on the issue, that former Provos and existing Provos can now be arrested, charged and convicted and that we can have justice once again after it had been denied.

**Ms J McCann:** Go raibh maith agat, a Cheann Comhairle. If this week and this debate have highlighted anything, it is the importance of the need to deal with the past, not just for people in the Chamber but for the people in our communities who expect us to deal with it. Put simply, if we do not deal with the legacy issues from the conflict, they will continue to impact on the present and threaten the future for us all.

Today's debate has once again illustrated that there many different and competing narratives about the past and many different perspectives on what happened. That, aligned with the different political allegiances and the divisions that still exist in our society, adds to that complexity. We have an opportunity to create a society in which conflict and division can become confined to history and in which reconciliation and respect can be the future for our children and young people. Let us be clear: that is what people in our communities want, no matter what people in here want.

So the legacy of the past must be dealt with if we are to progress to the type of society that those people want, and the Haass and O'Sullivan proposals offer a way forward. Alongside colleagues from other Executive parties, we spent much of the latter part of 2013 engaged in these negotiations. We came into the negotiations with a firm view that progress could be made and that the legacy issues in particular had for too long been used by some to try to undermine the very peace process that has brought an end to the conflict and created these political institutions.

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

**Ms J McCann:** No, I am not giving way.

I find offensive and a bit rich the suggestion made by some on the opposite Benches in recent days that we did not approach the Haass process with anything other than an intention for it to succeed. It is particularly rich when it comes from people who have so far rejected the proposals — *[Interruption.]*

**Mr Speaker:** Order.

**Ms J McCann:** — and it is arrogant to claim otherwise. Make no mistake about it: it was the parties opposite that tried to dilute and undermine the very mechanisms that would get those victims and survivors the truth that they needed and want. They tried to dilute well-thought-of issues like the Coroners' Courts.

Again, the needs of victims are central to all of these proposals and should be central in our minds today. *[Interruption.]*

**Mr Speaker:** Order.

**Ms J McCann:** No party can claim to represent all victims and survivors. We need to remember that the relatives of all of those who died in the conflict experience the same loss and the same pain, as do the many thousands who were left with physical and emotional injuries. Regrettably, the human suffering that so many still experience cannot be changed or undone, and all those who were part of the conflict must bear the responsibility for that hurt and that pain — all the actors in the conflict.

No one should be treating the past as some sort of contest that can be won or lost, or using the grief and the pain of victims to score cheap political points. That is wrong. If today's debate and the political posturing of recent days demonstrate anything, it is that these issues are not going to go away and need to be dealt with.

I have not heard unionists or anyone else put forward an alternative to the Haass proposals, so we all have a decision to make. Are we to continue as we have done, allowing our troubled and difficult past to hold back the potential that exists in building a new future for our children and our grandchildren, or are we finally going to tackle these issues in a comprehensive and sensible way? That is the choice that we have to face. I do not and will never share your narrative of the conflict or the views of the orange state that existed here after partition. Likewise, you will not share mine.

**Mr Speaker:** Order. Let us not have a debate across the Chamber. *[Interruption.]* Order.

**Ms J McCann:** No one is asking that we should, but that does not mean that we cannot agree on a way forward that can gain support from victims and survivors and break the cycle that sees issues like this used to contaminate the political process time after time.



This Assembly has much more useful and productive work to be getting on with, and all that this debate is doing, to people watching outside, is giving succour to those who oppose the peace process, those who oppose equality and those who oppose power sharing. I ask all parties in this Chamber today to be serious about dealing with the past, to be serious about dealing with the very real concerns and needs of victims and survivors in our society, and to work together, because there is a huge responsibility on us all to work together to bring the Haass proposals forward and to deal with the legacy issues once and for all.

**Mr A Maginness:** One of the most important principles in modern government is transparency, and that is a very good guiding principle, particularly for a divided and fearful society such as ours.

In relation to on-the-runs, no transparency was shown whatsoever by either the British Government or, indeed, Sinn Féin. We have talked a lot about collusion in this House, and rightly so. Here was an act of monumental collusion between the British Government and Sinn Féin. Their secret postal service was a specially devised system to, as it were, bring relief to their IRA members. It was not done for the good of the peace. It was not done for the peace process. It was done for the selfish individual interests of Sinn Féin. That is the reality of the situation.

1.00 pm

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

**Mr A Maginness:** Yes.

**Mr Hussey:** Apparently, IRA stood for "I run away". We have 187 men or women who did run away. What were they running away from? Clearly, they are suspects, and they have a case to answer.

**Mr Speaker:** The Member has a minute added to his time.

**Mr A Maginness:** Let me progress my argument. It was a clandestine process. There is absolutely no doubt about it. Indeed, 'The Irish News' yesterday referred to it as being the next best thing to an effective amnesty. Where was there concern shown for the victims of the Troubles in all of that by either the British Government or Sinn Féin? Let us remind ourselves that Peter Hain introduced a Bill, the Hain Bill, to deal with the on-the-runs. That Bill was designed to undermine the rule of law,

because, effectively, if you had been found guilty, you were immediately released.

**Mr McGlone:** I thank the Member for giving way. What people in the community are asking about is what other shabby deals there have been with members of the security forces and British Army. What other shabby deals have there been with security forces here and, indeed, with British agents like Frederick Scappaticci? How many people were sacrificed in order to protect those people? Those are the questions that are being asked.

**Mr Speaker:** I must ask the Member to finish. *[Interruption.]* Order.

**Mr McGlone:** It is often said that justice is truth in action. I think that it is about time that victims heard all the truths.

**Mr A Maginness:** I thank the Member for his timely intervention. I agree entirely with what he said, but let me get back to the history of this particular process.

Mr Kelly is a very deficient historian, it seems to me. Hain introduced his Bill, which was thrown out because of extensive opposition from the SDLP and others. The fact is that that Bill was regarded by most people as a monstrosity. Despite the fact that public opinion and political opinion was against the Bill, the British Government reverted to the administrative scheme that had been in place for some time on an ad hoc basis. They put it on a systematic basis and institutionalised it. That is the problem, as I see it. That is represented by Operation Rapid, which was introduced in February 2007.

The preferential treatment of IRA men regarding their potential criminal liability was and is appalling. It is totally insulting to reasonable, law-abiding people who play by the rules of society. How can it be acceptable to make an exception for those people involved in such serious activities? All of that attempted dirty dealing was done under the guise of, according to Mr Hain, the peace process, at a time when the IRA had decommissioned its arms. It does not seem to me to be a credible explanation. Mark Durkan MP saw through the cynicism of those deals and warned about the dangers of making them. He said that we do not end a dirty war to end up with a dirty peace. The days of side deals, shabby deals and secret deals should be well and truly over.

What the on-the-runs affair attempted to do for political expediency does not help to bring about a sustainable peace —

**Mr Speaker:** Will the Member bring his remarks to a close?

**Mr A Maginness:** — and healthy, open and accountable politics. In dealing with it, let us not pull down the House. Let us maintain the valuable institution that it is, and let us work to make better politics.

**Mr Elliott:** I suggest that one question on the public's lips today will be this: why are we here? I can give some answer to that. We are here because of deceit; we are here because of bad faith; and we are here because of an underhand process. Included in that process were some people here, namely from Sinn Féin. I believe that that process was unacceptable and unfair. But why are we here because of on-the-runs? Who are the on-the-runs? I accept, first and foremost, that some of those classified as on-the-runs may have no charges to answer and may not be guilty of any offence. However, let us be clear that there are those on the run who are murderers and bombers who killed innocent people in this society. That is the reality. Those people would not have asked for a type of amnesty if they did not have charges to answer. Why did they not come back, as former Ulster Unionist Party leader David Trimble recommended, to face the courts? That is what they should have done; they should have stood up in court to the charges issued against them.

**Mr McGimpsey:** Thank you, Mr Elliott, for giving way. Does the Member agree that, right now, it is vital that we have a list of those individuals who applied for the exemption, together with the crimes for which they have asked excuse, not least for the benefit of the victims but also because of the possibility that we could be talking about Members of this House, Dáil Éireann, the House of Commons and the Northern Ireland Executive?

**Mr Speaker:** The Member has an extra minute.

**Mr Elliott:** Thank you very much, Mr Speaker.

I agree with Mr McGimpsey. It is vital not only that Members know those names but that the wider public know who they are dealing with and that the victims know who may be on the run who might have had responsibility for the murder or injury of their loved ones.

I move on to the crucial issue of victims. I listened to the weasel words of Mr McGuinness, the deputy First Minister, and Miss McCann. How much thought did they give to victims when they asked for the immunities or letters of comfort? How much consideration did they give to the people who were suffering because their loved one had been brutally murdered? We heard Danny Kinahan say that he no longer has a photograph of his friend.

I agree with Mr McGimpsey that the letters need to be rescinded; nothing less will do. If Sinn Féin Members are so exercised about victims, I challenge them today to ask the people who have the letters to rescind them voluntarily. That will prove something to the real victims. That will prove to those victims that Sinn Féin and its comrades are really keen to make amends and to help the suffering of those victims. If Sinn Féin does not make that call and progress that, it will be letting victims down and proving that it is continuing in bad faith and mistrust. That is a challenge to Sinn Féin that I hope will be answered. If that does not happen, the letters need to be rescinded.

I listened to many commentators on the radio this morning. There is no clarification at present as to the basis and justification of the letters. Let us be absolutely clear: the only way to satisfy and end the debate is that the letters be rescinded. People who got the letters should be written to immediately and told that their letter is no longer valid.

It is unfortunate that some people here have tried to put the blame on the Ulster Unionist Party. I hear that. Let us not forget that some people did have the right to protest against and object to various deals.

That is their absolute right. However, let us not forget that we had a new deal and a fair deal, and we heard at the end about all the concessions that came after 2005. Did they? How many letters have been issued since 2005? Numerous letters have been issued, including Mr Downey's letter, which was issued in 2007. That was long after the Ulster Unionist Party was no longer the biggest party in the Chamber. *[Interruption.]*

**Mr Speaker:** Order. Will the Member bring his remarks to a close?

**Mr Elliott:** Clearly, what people need to realise is that to be open, honest — *[Interruption.]* People may shout.

**Mr Speaker:** Order. The Member's time is gone.

**Mr Elliott:** Let them stand up for the responsibility —

**Mr Speaker:** Order.

**Mr B McCrea:** The First Minister opened the debate with a phrase that, I think, went along the lines that those who speak loudest often have least to contribute. The threatened resignation of a First Minister is not a trivial matter. In the past few days, I have been struck by the ferocity of Mrs Foster's opinion. I also note that, on 5 November 2012, the First Minister proposed a motion on Councillor Sammy Brush of the DUP. That debate was rancorous and ill tempered and covered many of the issues that are being debated today. I have to say to Mr Alban Maginness that I find his position today to be inconsistent with the position that his party took on that day. In her winding-up speech on that motion, Mrs Arlene Foster stated that its opponents relied on two points: the Weston Park agreement on OTRs and the use of the royal prerogative of mercy. Those issues were debated and dealt with.

What is really surprising for me — perhaps the First Minister would have been looking at it — is that there was an ongoing legal process. I am surprised that people did not look at Mr Justice Treacy's approach to that on 2 March. He would have been pleased that the Secretary of State's decision not to use the royal prerogative was upheld, thereby saying that the argument that they were making was not correct. He might also have been interested in paragraphs 27, 28 and 29. They state that Mr McGeough relied on:

*"assurances by a senior member of Sinn Fein, Mr Gerry Kelly, in or about 2001, that he would not be arrested or charged if he returned to Northern Ireland."*

However, he:

*"was confronted in cross-examination with a letter dated 22 January 2003 from the Northern Ireland Office to Mr Kelly where it was clearly stated that the applicant would not be immune from charge or arrest if he returned to Northern Ireland."*

So the proposition that is put forward by the people opposite is not consistent.

Why would Mr Kelly have made those statements? Why would he have come along?

You can look to the House of Commons in July 2002, when the then Secretary of State responded to a question from Quentin Davies about 32 individuals who had been informed — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** — over the previous two years that they were not wanted for arrest and a further 25 persons who, the prosecuting authorities and police had confirmed, would not face fresh charges. Mr Nesbitt, that was during the time when Mr Trimble was First Minister. It is an issue that you have to address. When you withdraw from Haass, perhaps you could consider withdrawing Mr Danny Kennedy from the Executive if you feel that strongly. *[Interruption.]* This is the line of information presented at the Policing Board — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** It outlined, as Mr Paul Givan brought up, an ongoing process with regard to on-the-runs. Mr Givan asked me a question. My answer to him is this: why does he not ask his party's board member Mr Tom Buchanan? It was his question that was answered. It was made clear in the statement by the assistant chief constable that there was a process. It outlined what would happen. It is consistent with what has been said. They did not pick it up. *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** Questions can be asked about why neither they nor anybody else picked it up. There is certainly an issue about constructive ambiguity — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** That constructive ambiguity, which may have been necessary to get us to a certain place, is now at the root of the destruction of this process. It is something that we have to tackle.

The statements from former Secretary of State Peter Hain that suggested that there was some sort of underhand scheme are not helpful. That is not the way to go forward. The real issue in all of this is that we have strayed too far from the principles of the Good Friday Agreement. That is what we should go back to. The DUP has said that it opposed the Belfast Agreement. That is fair enough, but it was voted for by the

majority of people and has democratic legitimacy. It is what we should abide by.

**1.15 pm**

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

**Mr B McCrea:** I will indeed.

**Mr McCallister:** Does the Member agree that not only has the DUP — *[Interruption.]*

**Mr Speaker:** Order.

**Mr McCallister:** — about the Belfast Agreement, it is here because of the Belfast Agreement? Mr Elliott asked why we are here today: we are here because of the Belfast Agreement. However, Sinn Féin has to know that this is what the new Ireland that it wanted and got with the Good Friday Agreement looks like. The Alliance Party has to face up to the fact that this —

**Mr Speaker:** I must ask the Member to finish. Order.

**Mr McCallister:** — is what propping up tribal politics looks like.

**Mr Speaker:** Order. I call Mr McCrea. Interventions should be short, not statements.

**Mr B McCrea:** Thank you, Mr Speaker.

The only way in which to deal adequately with the past is to examine, publicly and transparently, the proposition put forward by the Attorney General. We must draw a line under the past. We must adequately resource survivors. We must have a public debate about the fact that such an arrangement will include agents of the state and those whom some call terrorists. The Haass talks and today's debate prove that the alternatives do not work. Politicians must have the bravery to tell victims and the public that the only alternative to Larkin is, at best, a continuation of this divisive debate —

**Mr Speaker:** Will the Member bring his remarks to a close?

**Mr B McCrea:** — and, at worst, a return to violence. This is the time for politicians to tell the public the truth.

**Mr Wilson:** Issues have been raised here today about why we are here and where we go from

this. The first argument made was that this is all about posturing and that, somehow or other, because there are elections coming, we have to raise the temperature. If it were about posturing by this party, why was the same anger expressed across parties in the House of Commons on Wednesday? Indeed, all the parties from Northern Ireland that were represented in the House of Commons on Wednesday showed exactly the same anger during questions and during the statement by the Attorney General. That is a representation, I believe, of the rightful anger of people who were victims of terrorists and now find that a dirty deal has been done with those terrorists. I have to say that, if he cannot understand the difference between posturing and genuine anger, the deputy First Minister and his party have no chance of ever resolving the issues of the past. If all that he sees in this is some kind of political stunt, he does not understand one ounce of the hurt that he, his party and his associates have caused here in Northern Ireland.

This should concern all the parties in the House. Had it not been for the stance that the First Minister took on this, there would have been a clear signal to the current Government in Westminster and to Governments after that that you can walk over the democratic institutions in Northern Ireland. That is what they have done: the Justice Minister was kept in the dark about what was happening; the First Minister was kept in the dark; and the Executive were kept in the dark. Of course, the public were kept in the dark, and even the House of Commons was kept in the dark. This was an essential step.

The second argument was that we all knew about it. The Secretary of State has made it quite clear that no one was informed about it. She did not inform the Justice Minister or, indeed, the First Minister about it. Sinn Féin itself has admitted that it did not want anybody to know about it. They wanted it kept secret.

I heard references to the Policing Board. Perhaps Mr McCrea and those who refer to the Policing Board ought to read what the assistant chief constable said when he addressed the Policing Board. This is what he said: first, there would be an investigation of the individual and, if there was evidence, it would go to the Public Prosecution Service. He then said that, if the test for prosecution was passed, there would be further investigation of the case, powers of arrest would exist, bench warrants could be applied and, in the case of prison breaks, the Prison Act would apply. There was no indication there that there was some kind of

amnesty for those who were on the run. Maybe if — *[Interruption.]*

**Mr Speaker:** Order. Let us not have debate across the Chamber.

**Mr Wilson:** With regard to whether people knew about it, it is clear from those involved that, of course, there was no knowledge. However, I have one thing to say to the Justice Minister, and the question was posed by Mr Elliott and others: who got the letters? Since the police would have had to do a report before a letter like that was sent out, surely he, as Justice Minister, has the right to ask the Chief Constable now to give a list of all the people whom the police made a report on. He could then make a statement to the Assembly on who had received the letters.

**Mr Ford:** I am grateful to Mr Wilson for giving way. I think he is asking me to interfere in the operational issues of the Chief Constable. The House needs to be very careful about politics interfering with those duties. The fact is that this issue was being carried forward by the Northern Ireland Office, and he should ask his questions in the House of Commons.

**Mr Speaker:** The Member has an extra minute.

**Mr Wilson:** I think that, even in his own speech, he made it clear and Members of his party made it clear that this has moved from being an operational issue to being a very serious political issue. Therefore, I believe that he has the ability and should pursue that particular issue. I believe that that is one way of satisfying many of those who have been affected by this.

The third argument put forward is this: as a result of the announcement yesterday, the First Minister has had a climbdown. I find that extremely odd, given that, first, he asked for an inquiry and he got an inquiry. I remind the House what the Secretary of State said on the radio this morning: the inquiry will have the right to get all government papers, call people and even find out and have a list of the letters that have been granted. I believe that the Justice Minister can get that. Secondly, those who have received the letters will be contacted.

I believe that Mr Allister, for different reasons, wants to believe that this is posturing. He wants to have a grievance that he can continue to pick at.

**Mr Speaker:** Will the Member bring his remarks to a close?

**Mr Wilson:** We want to have the grievances dealt with so that those who have been hurt by this can have answers to their questions and relieve the hurt that they have felt. I believe that we have got a good result as a result of the decisive action taken by the First Minister. *[Interruption.]*

**Mr Speaker:** Order, Members.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. Like my party colleagues, I came here today having said all this week that we do not believe that there is a crisis and that this crisis has been largely manufactured. I know that Sammy Wilson referred a few minutes ago to how seriously his party views the matter. Then again, Mr Poots got up, and he is the Minister for one crisis after another, so I realise that maybe we are in a crisis here.

**Mrs Foster:** Hilarious, hilarious.

**Mr Speaker:** Order, Members. Order.

**Mr Maskey:** There have been quite a number of hilarious comments and performances this week. When you listen to all the comments this week from a number of unionist political party leaders and representatives and others also represented in the House, you see that there has been a lot of collective amnesia, as Gerry Kelly described it earlier.

The fact is — it has been proven with one piece of evidence after another and one example after another — that there were briefings, public statements by Prime Ministers and Taoisigh and publications such as the Eames/Bradley report — page 121, I think, although I stand to be corrected if needs be. That report was published and rejected by the parties across the Chamber. One would presume that, if you reject something, you have probably read it, but maybe that is not the case. Clearly, the figure of 200 people described as on-the-runs was referred to quite explicitly in the Eames/Bradley report. Therefore, with regard to the collective amnesia around this place about the on-the-runs, which has been dealt with, referred to and ventilated well and truly on quite a number of occasions over the past several years, no party in the House and no person in politics, never mind in wider society, can honestly say that they were not aware that the issue of on-the-runs was being dealt with and resolved.

I do not know how anybody can work it out in their mind and seriously say that they were aware that a process was under way, they understood that, they were briefed to that extent

but they did not know how it was going to work out. As Martin McGuinness said the other day, they could have asked. We have minutes on the record of DUP members asking questions of people such as Assistant Chief Constable Drew Harris. I was at that meeting. When those members — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Maskey:** When those members had the chance to ask further questions, they did not do so. You have to ask yourself, "Why?". Was it a matter of choice? Was it a matter of "Hear no evil, see no evil"? The facts on the record demonstrate clearly that those who say that they were not aware of the process clearly were. I believe that the arguments that those from the DUP in particular have been putting forward — not only them but others — are completely threadbare. I think that they have been exposed to the public.

That takes me to another point that I want to make. When we are dealing with the cases of, let us say for talk's sake, the 187 people who have received the letters, it has to pale into insignificance against the backdrop. All of this is historical. All of this is about dealing with the past and has a context. None of these things were imagined by anybody. We are talking about 187 people or 200 people against the backdrop of 25,000 people from my community, including people such as me, who served 140,000 to 150,000 years between them. We served the time. *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr Maskey:** We served the time, unlike the many members of state forces and others who were involved in murder, in killing citizens and in collusion. They were involved in the murder of many citizens, including Pat Finucane, an internationally renowned lawyer. Here we have members of the British Crown forces, such as Ian Thain, being convicted of murder, serving a sentence of one year or two years, walking out of prison and being promoted. We have parties in the House proclaiming to be law-and-order parties, and they want a judge-led inquiry. You had the Saville inquiry; you had the Widgery report years ago; you had the de Silva report; you had the Stevens inquiry; and you had the Stalker report. You ignored every one of them. You pretended that none of that happened. A lot of it happened on your watch. You people do not like to hear it, but people in your society — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Maskey:** The final point that I want to make is simply this: we have the opportunity, as parties, to implement the Haass proposals —

**Mr Speaker:** The Member should bring his remarks to a close.

**Mr Maskey:** — unlike Mike Nesbitt, who took a get-out-of-Haass pass. We have a responsibility to deal with all the victims, not only those we choose to represent: all of them. The implementation of Haass is the way to do that.

**Mr Bell:** Today in this devolved British Parliament, we say sorry. We say sorry to Lieutenant Anthony Daly; we say sorry to Trooper Simon Tipper; we say sorry to Lance Corporal Jeffrey Young; and we say sorry to Staff Corporal Roy Bright. We say sorry to them in this British devolved Parliament because they have experienced the gravest of grave injustices. We, the British people, have failed you; we have failed your families; and, in the name of a British Government, we have failed to deliver for you your human right to justice.

Let no one be mistaken about this. There was the announcement of a judge-led inquiry, and those who have letters are now aware that their letters will no longer satisfy the courts and they can no longer avoid being questioned or prosecuted. That, my friends, is only the beginning. As Churchill said at the end of El Alamein, this is not the end, and this is not the beginning of the end. The announcement of a judge-led inquiry and the announcement that your letters will no longer satisfy a court that you cannot be held for questioning or prosecution is only the beginning of the end.

**1.30 pm**

The deputy First Minister has not seen fit to be here for most of this debate. I will not —

**Ms Ruane:** On a point of order, Mr Speaker. The deputy First Minister was here for most of the debate.

**Mr Bell:** Well, I think we will record the empty seat — *[Interruption.]*

**Mr Speaker:** Order. Let us not have debate across the Chamber.

**Mr Bell:** We will record the empty seat, in the same way that Frank Hegarty's family has an empty chair.

The reality is that those who were murdered by those with no respect for human life and the rule of law have, quite literally, got away with murder. That needs to be investigated. I repudiate the deputy First Minister when he says that it is not a get-out-of-jail-free card. I repudiate it on the basis that he also gave Frank Hegarty's mother a letter or a message of comfort. What a misnomer it is to call it a letter of comfort, because the inquiry has to establish whether there was a perversion of the course of justice.

The House of Commons is free, as part of the British Parliament, to compel witnesses. I would like our own Justice Committee to look at what appears to be the ultimate in collusion between the British Government and IRA terrorists. British citizens are entitled to know how the Queen's royal prerogative of mercy was used to pardon the murder of British citizens. How can the royal prerogative of mercy be used for people who have not been brought before a court and convicted for escape from jail? How can we have a pre-trial or a pre-pardon for those who have not been convicted?

Minister of Justice, 38 of these letters were sent out under your watch. That is the reality under this coalition Government, which coincides with the same period as the devolution of policing and justice. Since the time when the coalition Government came to power, 38 of those letters have been sent out.

The inquiry will also have to establish who delivered these letters. Was the person who delivered these letters released on licence? If they were, did they know the fugitives from justice, and is that not itself a criminal offence? The inquiry will also have to ascertain what many of us wanted to ascertain: is the person who delivered the so-called letters of comfort the same person who pumped bullets into the head of John Adams in the Maze prison?

**Mr Speaker:** Will the Member bring his remarks to a close?

**Mr Bell:** That is why we need Amnesty International, the Northern Ireland Human Rights Commission, the Finucane Centre and Relatives for Justice to come and tell us —

**Mr Speaker:** The Member's time is gone.

**Mr Bell:** — what the situation is for what a representative — Mr Speaker, I conclude —

**Mr Speaker:** I call Dr Stephen Farry. The Member's time is up.

**Mr Bell:** — said was nothing short of the bastardisation of justice.

**Dr Farry:** First of all, I have to correct the record in relation to the comments made by Mr Bell towards the end of his speech. The 38 letters were not sent out under the watch of the Justice Minister. It may have happened chronologically at the time when justice was devolved, but the Northern Ireland Office has belatedly made it clear that that was not the case. Indeed, the Member's own party colleagues have also made it clear that that was not the case. So that is a red herring which we have to put to bed entirely.

It is important that we focus on the future as part of this debate, but it is also important that we reflect on some of the challenges and, indeed, lessons that should be emerging from what has transpired. First, we have a duty to acknowledge that we have a responsibility to the people in our society who are victims and survivors. We also have a wider duty to address the past in a comprehensive manner. It is not something that we can sweep under the carpet, as NI21 would wish.

Devolution is important. I believe that it is making a real difference, but the successes of devolution are being drowned out by a succession of political wrangles and, indeed, the fallout from unresolved issues in relation to our past. It is important that we show the people of Northern Ireland that we are capable of governing and delivering on their behalf. Indeed, whether it was real or exaggerated, we have to reflect on the fact that we came close this week to these institutions being placed in serious peril or being taken away from us and, indeed, from the people of Northern Ireland. That points to a wider challenge, which is to ensure that this political process is based on solid foundations. As devolution transpires, if anything, we should be seeking to strengthen those foundations. However, whenever we have side deals, anomalies in our process or, indeed, what used to be called "constructive ambiguities", we will find that they will all catch up with us one day. We cannot tolerate them in our process, because they will eventually undermine it.

It is as clear to Alliance today as it was a decade ago that the issue of the so-called on-

the-runs was an anomaly. However, it was an anomaly that could be addressed only through a clear and transparent process. It was one that was somewhat analogous to the early release of prisoners, which was a process that, I appreciate, some people found rather unjust. Nonetheless, it is important that we tried to seek formal convictions for people who committed offences. It is also important that people go on licence or, if the opportunity presents itself, that they serve some time for the offence. That is consistent with the spirit of justice and with what happened with the early release of prisoners.

Most of us have accepted that we have a peace process in Northern Ireland. It has, in the main, been a successful process over the past 20 years. *[Interruption.]*

**Mr Speaker:** Order.

**Dr Farry:** That has required a degree of flexibility and compromise from many of us. However, the lesson must be clear that carve-up politics gets us nowhere. Carve-up politics is something that is not part of our peace process. It is no part of any solution and is something that we have to tackle seriously. Even today, we continue to be enticed by carve-up politics. We must move away from all that.

Today we have the opportunity to begin to put right what has gone wrong in the way that the issue of the OTRs has been handled over the past decade. However, we cannot escape our wider duty to deal with the past. If anything, the necessity to put in place a comprehensive process is clearer than ever. The status quo is simply not an option. We cannot wish this away. We are bearing huge costs as a society, and those are only set to escalate in the coming months and years. We have a duty to victims, whose demands for truth and justice continue to go unaddressed as the clock ticks, and, indeed, as survivors pass away without benefiting from either of those outcomes. We also have a political imperative to address something that can imperil our political institutions.

**Mr Givan:** I thank the Member for giving way. This morning, Seamus Close said that David Ford was washing his hands of the current arrangements through which the NIO is taking this scheme forward. Will the Member encourage his party leader to identify whether the NIO is acting legally by continuing with this process, if that is indeed what it is doing?

**Mr Speaker:** The Member has an added minute.

**Dr Farry:** I am grateful for that, Mr Speaker. I think that the review that has been announced will take care of that issue. However, the Minister of Justice has not washed his hands of the issue; he has made it extremely clear that this process should not be happening. As far as he is concerned, he will have nothing to do with it and nor will the Department of Justice.

Returning to the point that I was making, I think that, when the OTR review has been brought to a conclusion, we will have to think about how we return to the issue of how we deal with the past. I believe that the Haass proposals on the past were sound, and they have moved the agenda forward significantly. I understand people's feelings about perceptions of bad faith, but I do not believe that the proposals with respect to the past have been fundamentally contaminated by what has happened. They remain sound.

**Mr Speaker:** Order. Will the Member bring his remarks to a close?

**Dr Farry:** If anything, the proposals on immunity, which really reflect what the people of Northern Ireland feel today, are on a much stronger footing than what has happened with the process for the OTRs over the past decade.

**Mr McNarry:** The First Minister said that he was not prepared to remain while he was kept in the dark, and I am glad to see that he has obviously seen the light today. I never thought of him as a quitter but more as a fixer, and I say this to him: when you eventually go, make sure that what you leave behind is fixable. In other words, let us fix this mess and clean up whatever other residue is lurking undiscovered.

This is acutely a national issue that involves our Parliament and all the people of the United Kingdom. The first known victims caught up in the twisted collusion between Ministers and Sinn Féin are the families of the Blues and Royals slaughtered in Hyde Park. Their shock is expressed by Christopher Daly, who said "justice has been thwarted". His was a dignified reaction to an appalling decision that rocked all victims of Provo atrocities across our country.

Who could believe that a Government — I suppose we could — but who should believe that a Government, whether under Blair's or Cameron's watch, could contrive such deceit or stoop to such depravity in agreeing to such a dirty deal that effectively turned the law on its



head. The whole nation is outraged, and rightly so. This was a scheme designed for the Provos only; it is called betrayal, and now we know who has been betrayed. This House did not sign up to it, and its Executive did not discuss it. Now, however, we can speak up for those who feel more betrayed than we do: we can speak up for the victims.

To do so — this is crucial — the House needs to exonerate itself from any culpability for actions carried out in its name. Consequently, I ask what the Policing Board MLAs were thinking of when, in April 2010, Assistant Chief Constable Drew Harris told them:

*"There is an ongoing process to resolve those individuals who mostly refer to themselves as 'On the Runs',*

a process, he said that was being worked out:

*"over the last number of years and it continues ... to be available".*

I can see no record of gasps of horror and no indignant interrogation demanding an explanation of just what the process encapsulated —

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

**Mr McNarry:** In a minute, Peter. There were no cries of "foul" on hearing that the process had been going on for years.

**Mr Weir:** I thank the Member for giving way. If the Member reads the full transcript of what was said in a public session that is reported verbatim, the Assistant Chief Constable goes on to highlight that the process is one of examining whether there is evidence against someone, then issuing bench warrants if that evidence could lead to a prosecution. That was what was referred to in that meeting. Indeed, there was no mention of any form of letters or any administrative process.

**Mr Speaker:** Mr McNarry has an added minute.

**Mr McNarry:** I take the Member's point. I have the transcript and have read it. What I did not hear — I continue on this theme — was anyone demonstrating or asking, "Has this been running for years?" or saying out loud, "Well, this is the first time I have heard about it". Did they agree with it? Is that why the silence was there? Or did they not really comprehend what they were being told? Did they, consequently, tell no one else about it? I believe that, through

the inquiry, we will find out soon enough exactly where we lie.

These episodes need to be fully explored. What is more, such an inquiry needs, as I have said, to do a job for the whole country under the United Kingdom umbrella. I support the motion because it represents to me the righting of a great wrong done by Her Majesty's Government — a despicable wrong. This House cannot slacken in its resolve to put that right. It is inevitable that more will spill out if the inquiry does its job. As I said, we need to fix and clean up what has been a betrayal by our Government.

There is no anomaly here. There is only a dirty deal that was not done in the name of thousands of law-abiding people throughout the United Kingdom; nor was it done in my name. It must be removed.

**1.45 pm**

**Mr Allister:** The affirmation that justice in a democracy must be done and must be seen to be done is not just a catchphrase; it is a fundamental principle that underlies the operation of a judicial system. The sordid arrangement that the Government perfected with the spokesmen and representatives of murderers, terrorists and some of the vilest criminals goes to the very heart of undermining our judicial and justice system. It subverts not just the political process but the judicial process, and those who perfected it were the British Government and the IRA through its surrogates, Sinn Féin. Of course, it is made worse by the fact that it was kept secret. It was something done in secret, behind closed doors, to be kept secret, and it has done great despite not just to the justice system but to the citizens who rely on that justice system, particularly the innocent victims who plaintively believed that, one day, they might get justice while not knowing that some of the victim makers were walking around free of that threat and obligation.

It is made worse by the fact that, in Operation Rapid — well named, perhaps — we now have evidence that it, too, was perverted. Mr Baxter, the senior police officer who headed up that inquiry, appeared before the Northern Ireland Affairs Committee in November 2009 and said:

*"You see, you would have to be so naive to think that the Secretary of State, and his predecessors, sits in Stormont Castle and does not tamper with policing."*

Lady Hermon, with great surprise, said:

*"Tamper with policing?"*

Mr Baxter replied:

*"Yes, I would use the word 'tamper'. One of my responsibilities before I retired was to conduct a review of on-the-runs, that is persons who are outside the jurisdiction. I can assure the Committee that there was an extremely unhealthy interest by officials in the Northern Ireland Office about prioritising individuals who were on the run and about ensuring that they were cleared to return to the North."*

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

**Mr Allister:** Yes, I will give way.

**Mr Copeland:** Thank you. Given the comments that you have just made, do you agree that a case could be put that those involved in the creation, administration and execution of some of these manoeuvres could be guilty of perverting the course of justice?

**Mr Speaker:** The Member has an added minute.

**Mr Allister:** Indeed. It indicates the political interference and the meddling, and the secret deal was so important that the Secretary of State was prepared to bastardise the policing system in this manner.

On Wednesday, the First Minister said:

*"I want a full judicial inquiry into all of these matters so that we can see who knew, when they knew and what they knew. Those are vital questions to be asked and answered. I want to know who the 187 people are that received these letters ... I want to know who they are, what crimes they were believed to have committed."*

He ended by saying:

*"I want all of the letters rescinded."*

When he said that, I supported him because, at that point, he was threatening — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** — to do the right thing if he did not get it. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** He established two resigning matters. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** He established that there had to be a public judicial inquiry and there had to be a rescinding of the letters. What did he get in his climbdown? He got none of that. He got an administrative investigation.

A public inquiry under the Inquiries Act 2005 is something in which witnesses can be compelled — *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr Allister:** — to give evidence under oath, in which they can be cross-examined and in which those who have interests, like the victims, will be represented. *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Mr Allister:** Where those who have interests, like the victims, will be represented and will be entitled to cross-examine. There is none of that in the behind-closed-doors, secret review. It will not, it seems, even be in public. There will be nobody capable of being compelled to attend and no one required to give evidence under oath. It is a farce and a whitewash.

As for the demand that the letters be rescinded, I think that Mrs Foster was on the run herself yesterday after saying on 'The Nolan Show' that the rescinding of the letters was a resigning issue. Now we find that — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** — all the Secretary of State —

**Mr Speaker:** Will the Member bring his remarks to a close?

**Mr Allister:** — had to do was repeat what is in the letters. Read paragraph 123 of the Downey judgement. It is already there.

**Mr Speaker:** Order. The Member's time is up.

**Mr Allister:** If those letters are now worth nothing —

**Mr Speaker:** Order. I call Mr Attwood.

**Mr Allister:** *[Interruption.]* If those letters are not worth the paper that they are written on —

**Mr Speaker:** Order. The Member should take his seat.

**Mr Allister:** — Downey could be convicted. If the First Minister is right, Downey should still be prosecuted.

**Mr Speaker:** Order, order.

**Mr Allister:** *[Inaudible.]*

**Mr Speaker:** Order. Before I call Mr Attwood, I warn the Member at the back. He may be trying a publicity stunt so that he gets thrown out of the Chamber. *[Interruption.]* Order. The Member will know the work that we have done at the Table to try to get every Member in to make a contribution, and he should not abuse it. I call Mr Attwood.

**Mr Storey:** On a point of order, Mr Speaker. Will you clarify whether a deal was done with the Member so that, although his amendment was not accepted, he would get a speaking right in the House?

**Mr Speaker:** Order. Let me make it clear that that is not the case. I do not do deals with Members. *[Interruption.]* Order. Let me further say that any Members asked to make a contribution in the House should not abuse their position. I call Mr Attwood.

**Mr Attwood:** Thank you, Mr Speaker. On Monday night, some Members went out of town and met victims. What they told us, to use their words, was that they felt marginalised and that the past had been sanitised. Let us be under no illusions: the past number of days have confirmed their worst fears. There was a conference on Tuesday in the Stormont Hotel, at the end of which many other victims felt that they had more strength and confidence. Let us be under no illusions: those victims and survivors have less confidence and strength today. Added to that, how must the families in Britain feel? How must the families of soldiers Bright, Daly, Tipper and Young feel and our own Danny Kennedy?

**Some Members:** Danny Kinahan.

**Mr Attwood:** Danny Kinahan. My apologies.

What are the conclusions that we draw from these events? The first is that the truth will out and that it has taken 14 years for what was agreed between Tony Blair, Jonathan Powell and Sinn Féin to come out. Let us learn the lesson of that and let us know about any other deals. In the week when a person in the Republic of Ireland was convicted of offences relating to money stolen from the Northern Bank, let us know what arrangements, if any, were entered into in respect of republican or loyalist criminality.

You cannot rage against some deals if you do not rage against all deals. Let us be very clear: there are other deals at the heart of the British Government that have seen the suppression of the truth in the affairs of this part of the world. At the heart of the British Government, at the heart of the security system and at the heart of the British Army, there is suppression of the truth about the murder of Patrick Finucane.

That is another deal at the heart of our political process. For those who rightly rage against the deal that was done between Sinn Féin, or the IRA, and the British Government, you must also rage against those other deals that see truth suppressed and victims denied justice.

What is the second lesson to learn from the past week? It is that we have to go back and deal with the past in a comprehensive way. We heard the advice and voices of Mr Nesbitt and Mr Robinson today calling for a stop to or a slowdown in Haass. You heard the other voices from the SDLP, the Irish Government, the Alliance Party and Sinn Féin that we should speed it up.

This is a critical moment when, despite what may have happened in the past, we stand in solidarity with victims and survivors or we let that all go up in a puff of smoke. Let us deal with the past in the fullest basis, not on the narrow basis of the on-the-runs and not in a partial, selective, limited, self-serving, secret, piecemeal and unethical way of dealing with the past, which will always come back to us.

Thirdly, let us be honest with ourselves that there has been a failure of politics over quite a number of years, that our politics is stuck and that people are alienated from this place and the politics of this place. Although we must apply ourselves to deal with all the issues that remain unaddressed in the implementation of the Good Friday Agreement, let us also recognise that we need the help of the two Governments. Let the party leaders in their meeting next week — and there should be a

meeting next week — work through how we are going to work with the two Governments.

**Mrs D Kelly:** Will the Member agree that we have to have a conclusion, show courage and help those victims who now feel so betrayed by what has happened?

**Mr Speaker:** The Member has an added minute.

**Mr Attwood:** I agree completely with the Member's comments. However, this is the point: if the British Prime Minister was prepared yesterday to take a baby step in response to the requirements of the First Minister — the First Minister who acted like the Duke of York and led his troops to the top of the hill and led them down again — and was prepared to apply his mind in even that minimum way to deal with this crisis, he and the Taoiseach, with the assistance of the American Government, should apply their minds to help us to deal with all the other issues.

We have been found wanting. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Attwood:** If we are not to be found wanting in future, not only must all the deals come out and we have a comprehensive way to deal with the past that is ethical, we must recognise that the two Governments should now step in with us to resolve all the unaddressed issues.

**Mr Speaker:** I call on Arlene Foster to conclude on the motion. The Member has 10 minutes. *[Interruption.]* Order.

**Mrs Foster:** Since the Downey case judgement became public, there have been many attempts to confuse, aided and abetted by some schoolboy journalism over the past couple of days. However, some of us are not interested in, "he said, she said". We are interested in the truth.

I listened to the usual tripe from the deputy First Minister about mainstream unionism being influenced by the fringes. I expected that line because there is nothing new under the sun. However, what I did not hear was one word of acknowledgement for the victims of terrorism from the IRA — not one word. Then again, there is nothing new under the sun.

Dr McDonnell told us that there was collusion, and there was collusion, between Sinn Féin and our Government. That is so painful to say. Our

Government were involved in this dirty, dirty deal. That is the collusion that took place.

What is also true is that we do not have the full parameters of what was put in place. That is why it is so important that the inquiry that has been announced will take any related matters into account. For clarity, that means that anyone can come forward with information, be they a victim of criminal violence or the special adviser of the former First Minister David Trimble — so Mr McNarry will be able to come forward with any information that he has. Indeed, Mr Allister can come forward as well.

**2.00 pm**

I want to address Mr Allister's point about me being "on the run" yesterday. First, I find it beneath contempt that he would liken me to an on-the-run. A victim of IRA violence was on the run apparently. That is OK, Jim; you have to answer that. Secondly, if he wants to know where I was yesterday, I will tell him: I left the Executive meeting, which finished after 4.00 pm, went home to see my children for two hours and then to an Orange event in Enniskillen District Orange hall. I am quite happy to tell him that that is where I was. He can check with one of his colleagues who was at the same event.

**Mr Poots:** He could not see. He was in the cupboard.

**Mrs Foster:** Yes, he might have been in the cupboard, that is right.

I will not take any lectures from a man who does absolutely nothing to hold the IRA to account — absolutely nothing. He stands outside and rants and raves, yet does not come forward and help. Instead of trying to hold them to account, he sits in the back cupboard and says nothing.

**Mr Allister:** At least I did not bring them into government.

**Mr Speaker:** Order. The Member should not insist. Allow the Member to continue.

**Mrs Foster:** This process, which started back in 2000-01 — in fact, Gerry Kelly said today that it started back in 1999 — developed in an underhand and dirty way. It was a dirty deal to give a get-out-of-jail-free card to cowards who could not face the criminal justice system, even though the Belfast Agreement meant that they would face only a maximum of two years. They are such brave soldiers that they could not even

come forward and put themselves before the justice system.

We have heard from the postman of the letters of the scheme's genesis. He referred to a number of documents, some of which, such as the joint declaration of 2003, do not even mention on-the-runs. I look forward to him pointing out the reference to on-the-runs in that document. As always, do not let the facts get in the way of your spin.

I welcome the presence of some victims of criminal terrorism in the Public Gallery. I acknowledge that, for them, this is a very painful day and has been a very painful week. Sinn Féin got a dirty deal and special treatment for its members. Of course, some of us remember very well that, after the Enniskillen bomb, we were told that we would get special treatment and that no stone would be left unturned to find who had perpetrated that awful atrocity. Instead, it was Sinn Féin that got special treatment in a very different way.

We welcome the announcement of the judicial inquiry and the Secretary of State's clarification on the letters, but that is not the end. I want to make the point very clearly today that we will be pushing, monitoring and making sure that we get the answers. We give that assurance to the victims of violence and to the Northern Ireland public as a whole.

Justice is often portrayed as a blindfolded woman holding the scales of justice, as all should be treated equally before the law and equally under the law. Today, Lady Justice stands battered and bruised with her head bowed. We need to lift her head up again. We need her to hold her head high again. That is essential to confidence in not just the justice system but the democratic process here in Northern Ireland.

Sammy Wilson said that he finds it difficult to understand how the deputy First Minister does not realise that this is real anger and that it is not manufactured or synthetic. I am not surprised that Sinn Féin does not understand our anger and pain. There has been a lot of pain. I want to say to Danny Kinahan that all of us here today feel his pain — well, some of us do anyway — on his loss.

They have always had a cavalier attitude to the rule of law, but they need not underestimate our continuing determination to rebuild confidence. That must start with the five cases that we learned of this morning. On the radio this morning, the Justice Minister referred to five cases currently with the DPP and the NIO.

They must immediately go. They have to be stopped immediately. That will be a mark of how this issue goes forward. We will be asking that question of the Secretary of State very quickly. I make it clear today, from this House, that we are not just dealing with the past, as we learnt this morning; we are also dealing with the here-and-now in relation to this system.

We heard from Basil McCrea that we must draw a line under the past; we must forget about it and move on. But how we deal with criminals and the atrocities that they have perpetrated goes to the very heart of our future in Northern Ireland, the future of my children and that of everyone else's children. The foundations must be solid. At the moment, they are in severe need of reparation, and we have to make sure that that happens in an open, transparent and public way, to ensure that people regain confidence in the criminal justice system. Collectively, we must ensure that that happens.

I hope that the House recognises that the motion is an attempt to do that and that it will support the motion in the name of the First Minister and the rest of my colleagues. I look forward to the vote being a positive one so that we can send out a very positive message to the people of Northern Ireland and, indeed, the people of the rest of the United Kingdom.

*Question put.*

*The Assembly divided:*

*Ayes 58; Noes 27.*

## **AYES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr McQuillan and Mr G Robinson*

## **NOES**

*Mr Boylan, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McCartney and Ms Ruane.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Attwood, Mr D Bradley, Mr Dallat, Mr Durkan, Mrs D Kelly, Mr McCallister, Mr B McCrea, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr P Ramsey, Mr Rogers.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly notes with grave concern the detail contained within the judgement of Mr Justice Sweeney in the case of R v Downey; expresses disgust at the heretofore deliberately hidden actions of the British Government and Sinn Féin revealed in the judgement of issuing these letters to those described as "on-the-runs" and the detrimental consequence of those acts to justice; further notes the undermining impact such disclosures will have on recent discussions on dealing with the past; and calls on the British Government to urgently and effectively address the gross injustice to the many victims who will suffer further because of these shameful actions and wider damage to the rule of law and to take swift action to rebuild confidence and trust by conducting a judge-led inquiry.*

*Adjourned at 2.19 pm.*

## WRITTEN MINISTERIAL STATEMENTS

*The content of these ministerial statements is as received at the time from the Ministers. It has not been subject to the Official Report (Hansard) process.*

### Health, Social Services and Public Safety

#### Ralphs Close Residential Care Home

*Published at 5.00 pm on Wednesday 26 February 2014*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I wish to make a statement to the Assembly following the completion of the investigations into the allegations of abuse at Ralphs Close Residential Care Home and sign off of the Safeguarding Report by the Western HSC Trust Board.

Members will recall that following the initial allegations of abuse in July 2012, and in response to members questions, I informed the Assembly of the actions being taken by the Trust to protect and ensure the immediate safety and well-being of residents including the initiation of the Joint Protocol arrangements for the Investigation of Alleged and Suspected Cases of Abuse of Vulnerable Adults which led to an investigation by the PSNI and a Safeguarding Investigation by the Trust. Both these investigations are now complete.

The outcome of the PSNI criminal investigation, which lasted nine months, concluded there was no evidence of wilful neglect and in the absence of witness evidence it was unlikely that the burden of proof threshold required in a court of law would be met. The Public Prosecution Service (PPS) has advised that in the absence of witness evidence there is no other evidence against identifiable individuals of any offences. This highlights the challenges we face in protecting the most vulnerable people in our society, people who cannot always speak for themselves and who rely on others for their care. There is no room in the health and social care family for those who exploit their position of trust by inflicting suffering and harm, or indeed, standing by and ignoring others who do.

I welcome the assurance that the Trust has undertaken a very thorough safeguarding investigation, carried out by an experienced team of senior managers and professionals. As recommended by my Department, the senior team was assisted and advised by an independent external expert in Adult Learning Disability appointed by the Trust. The findings are disturbing, but it is always important that such issues are brought into the open so that we can take all appropriate action and secure improvements in services.

The report has concluded that on the balance of probability there has been abuse perpetrated by a number of staff in Ralphs Close over a period of time. The nature and type of abuse includes physical and psychological abuse and neglect by omission. Over 50% of allegations made have been substantiated and on the basis of these findings disciplinary proceedings are now progressing as well as investigations by the relevant regulatory bodies. Members will understand that I cannot say more on that subject at present, other than to say that individuals who abuse those in their care will be held to account for their actions.

I have already had an urgent meeting with the Chief Executive of the Western Trust and the Chair of the Trust Board to seek their assurance that individuals will be held to account for identified failings and that every effort has been made to ensure, as far as possible, that poor or abusive practice is not happening elsewhere in any setting within the Trust.

I am truly appalled and angered that anyone in a position of responsibility and trust, caring for vulnerable people, could in any way cause them hurt or distress. I deeply regret that individuals have suffered directly and their families. As a consequence I am hugely disappointed that vulnerable people and their families have been let down by the service. The Trust have apologised directly to those involved.

Members will be aware that this will have a personal resonance for many families who have loved ones being cared for in similar settings. I am aware that the findings in this case will impact on families' level of trust and confidence in our system.

As far as possible, I want to be assured and to assure the public that there is strong vigilance and proactive management in all health and social care settings in Northern Ireland, including private and voluntary sector settings

where care is provided to vulnerable adults. I want to be assured that there is a determined and sustained focus on promoting high standards of care and safety and on preventing, detecting and, where necessary, dealing robustly with poor or abusive practice at every level in the HSC system.

Consequently, I have sought assurance from the Chairs across all the Trusts that facilities, which are caring for vulnerable adults, have robust safeguarding arrangements in place, that they are confident these are being adhered to; and that a culture is promoted within those settings, and throughout the organisation, that has a zero tolerance of poor practice, negligence or deliberate harm of any kind.

It is important that we recognise and acknowledge that the vast majority of staff who care for our loved ones do so with compassion, kindness and a commitment to doing their best. I would acknowledge and thank those individuals who persisted in bringing the abuse in Ralphs Close to light. And, as I have said consistently in my role as Minister for Health, anyone who has a concern about the standard of care should not be afraid to come forward. Preventing abuse or neglect is the responsibility of all of us and none of us should tolerate vulnerable people being abused in any way.

My Department is in the process of developing new adult safeguarding policy, which I have instructed officials to finalise and issue as a matter of urgency. The policy will place a renewed emphasis on preventing harm to adults who are vulnerable and, at the same time, seek to ensure that effective protections are provided in circumstances where harm has occurred or is suspected. It will advocate a policy of zero-tolerance of adult abuse in any setting and make respect for their dignity and rights non negotiable. It will also make it clear that effective safeguarding of those who are vulnerable is the responsibility of us all.

At the same time, we are in the process of implementing new safeguarding legislation, the majority of which is already in operation. The aim of the legislation is to ensure that individuals found to have harmed adults who are vulnerable are removed from the workforce, added to barred lists where this is appropriate and, consequently, prevented from obtaining work with vulnerable adults in the future while they continue to remain on a barred list. The legislation will in future make it a requirement for employers and volunteer managers to check against the barred lists prior to permitting an

individual to work or volunteer with vulnerable adults.

Trust can be abused in every sphere of care within our society. Some people are capable of terrible cruelty. There are corrupt and immoral individuals who, in spite of all our best efforts, will find ways to subvert the system and harm others. I am doing, I have done and I will continue to do all within my power to stamp out abuse and create a system where there is no hiding place for those who abuse their position of trust. I cannot do this alone. It requires everyone to be vigilant and to take responsibility to protect those who are vulnerable.

People who use our services, their families and relatives, carers and members of staff or managers must feel confident and able to come forward to speak out and express any concerns they have about the quality or standard of care, whatever the context. Where individuals do not have the capacity or ability to do so themselves they must be supported to have a voice.

Creating a culture of openness and transparency within the health and social care system so that there is no hiding place for poor or abusive practices is my priority and it must be everyone's priority.

The movement of patients from an institutional setting to community based facilities is reflective of the strategic vision to de-institutionalise the care of individuals and to provide person-centred, community-based approaches which promote the rights of, respect for, choice and independence of individuals. The move to Ralphs Close had the potential to be a positive development for individuals who had previously resided in a hospital setting. Regrettably this was not the case.

The lessons from Ralphs Close highlight that the transition from institutional living to community based living requires careful planning and management. It is not simply about the transfer of location but requires a change in ethos and working practices. These lessons will need to inform the planning and implementation of the reform of the health and social care system, to ensure that the vision set out for Transforming Your Care is realised and that those responsible for implementing the reforms learn from this.

I have instructed the Health and Social Care Board to ensure that the lessons learned from this case are disseminated across all Trusts



and service providers in the voluntary and private sectors who are commissioned to provide services by the HSC Board and/or Trusts.

Since the first allegations were made in July 2012 the Regulation and Quality Improvement Authority has undertaken more than ten announced and unannounced inspections of Ralphs Close. The most recent unannounced inspection was earlier this month and I can confirm to members there are currently no concerns regarding the standards of care in this facility. Indeed, there has been a transformation in the care provided to residents over the past 18 months.

I want to pay tribute to those staff in Ralphs Close who, in spite of the intense scrutiny and adverse publicity around this case, have continued to care for the residents and have worked tirelessly to create a new culture of person-centred care. We owe them our thanks and gratitude.

## Culture, Arts and Leisure

### Salmon Conservation Regulations

*Published at 12.00 noon on Thursday 27 February 2014*

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Members will be aware from my previous statements to the House, of the perilous plight of Atlantic salmon and my plans to introduce a range of conservation measures aimed at curbing the decline of this iconic species.

I am now pleased to announce that there will be new legislation in place on the 1st March 2014 which will introduce mandatory catch and release for salmon and sea trout angling and a prohibition of salmon and sea trout netting across the DCAL jurisdiction.

From this date all salmon and sea trout caught by anglers must be returned to the water again. This will apply to all waters across the DCAL jurisdiction with the exception of Lough Melvin which has consistently demonstrated a sustainable surplus of salmon above management targets. Here anglers will be able to take and keep 2 salmon or sea trout during the season. On all other waters, all salmon and sea trout caught by anglers must be returned to the water.

While fishing for salmon and sea trout anglers must use single or double barbless hooks only and will only be able to use worms after the end of each June to protect salmon smolts.

With regard to commercial fishing, salmon and sea trout netting will be prohibited in coastal waters and Lough Neagh. However, legislation will provide that anyone who has held a netting licence in any one of the last three years will have first preference for a new licence should netting resume. Legislation also provides that this eligibility can be passed to a nominee should the original licence holder not wish to apply.

Criteria for a resumption of netting will also be enshrined in legislation. Licences will only be issued if the Department decides that such netting will not have an adverse affect on salmon stocks in:

(a) a Special Area of Conservation as defined under the Habitats Directive;

(b) any rivers which are not meeting such salmon management targets as may be determined and published by the Department.

Compensation will also be considered for those netsmen who can demonstrate loss of income as a result of the introduction of these legislative measures.

Questions have been raised about the inclusion of sea trout in catch and release measures and the prohibition on salmon netting. While, in comparison to salmon, there is limited scientific data on sea trout populations in the North of Ireland, international data would suggest a dramatic decline in global sea trout numbers. AFBI's analysis is that there is insufficient data available to allow the exploitation of sea trout across the DCAL jurisdiction. My advised position is therefore to apply a precautionary approach to sea trout management based on international data until local information has been collected and assessed over a longer time period.

Any killing of sea trout would also have to be considered in context of both angling and netting. The difficulties of distinguishing sea trout from salmon, is still a very real concern from an enforcement perspective. Permitting netting of sea trout would be difficult to police and would have implications for salmon caught as a by catch. Commercial nets also catch larger sea trout which can be disproportionately detrimental to sea trout recruitment in rivers.

Some anglers have also questioned whether catch and release legislation can be effective when those fishing for other species can use barbed hooks and may accidentally catch and fatally injure salmon or sea trout. While this can happen, it must be noted that as all such fish must still be returned to the water, there is no incentive for anglers to deliberately target salmon or sea trout in this way. Indeed it is vital that individual anglers take personal responsibility for their actions on the river banks and do not use any methods which may cause potential injury to salmon or sea trout. To assist in this my officials will be engaging with local angling clubs to promote best practice in catch and release and have developed promotional material and an educational DVD to re-enforce this message.

I would also urge anglers to play their part in helping the Department to establish robust data sets of salmon and sea trout stocks in our waters. They can do this by ensuring that they make returns on fishing effort. While anglers will no longer be allowed to retain salmon or sea trout on the vast majority of our waters, they must still record and return details of fish caught and returned to the water. This continues to be a valuable dataset which will contribute to a scientific assessment of salmon stocks and will help determine when rivers might re-open for the retention of salmon or sea trout by anglers. To facilitate this, the format of the game fishing licence has been amended to include a form for anglers to record salmon and sea trout catch and release details for return to the Department at the end of the season.

In bringing forward this legislation, I have given a great deal of thought to the views expressed by the various stakeholder interests and believe that the new Regulations are appropriate, equitable, enforceable and essential to conserving and protecting wild salmon stocks in the future. I pay tribute to both commercial netsmen and anglers in the way they have contributed to this consultation process and their willingness to rise to the challenges facing the future of salmon stocks.

I know that the vast majority of anglers will respond positively to these new measures as they have been for years the guardians of our waters and their response to the call for voluntary catch and release over the past two years has been commendable. I wish also to pay tribute to our last remaining salmon netsmen who have been courageous in their willingness to undertake a voluntary cessation of netting in the last two years and who have

provided valuable input during the consultation part of this process.

But let me also be clear about the enforcement of this new legislation. The protection of wild fisheries remains a priority for my Department and there is already a robust enforcement strategy in place to protect fish stocks and prevent illegal fishing. This will be enhanced with a new programme of financial assistance for angling clubs to meet the court costs associated with appointing private water bailiffs. Private water bailiffs play a key role in the Departments conservation, protection and enforcement work and I am sure that this financial assistance will help to secure and expand this role. I am also pleased to announce that a new patrol boat has been commissioned for use on Lough Neagh. This will enhance my Departments presence on the Lough by improving response times to incidents and augment the good work already being carried out by my officials in what is a difficult and sometimes dangerous job.

In the roll-out of this legislation, my officials will continue to engage with stakeholders to ensure the successful implementation of these measures. This will include a series of meetings with angling clubs to explain the new measures and promote best practice in catch and release, and on-going engagement with those netsmen who have been affected by their implementation.

In summary I believe that these new measures are a very important step in building the sustainability of our salmon and sea trout populations. I am determined to continue to regulate fisheries and conserve and enhance fish habitats to ensure that commercial and recreational fisheries are sustainable and deliver benefits for future generations. I trust that members will welcome this new era for salmon conservation in the North of Ireland which I anticipate will be a template for fisheries management across other jurisdictions in years to come.





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