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# Northern Ireland Assembly

Monday 16 May 2011

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** First, I will say a few words about what I expect for debates in the Chamber and about the nature of them, for the benefit of all Members who have been returned to the House. Let me briefly outline what I expect. In line with my rulings in the last mandate, which Members can look back on, debates should be conducted with courtesy, good temper and moderation. Members should avoid personalising remarks to any Member and should be careful to use proper names when addressing Members and referring to parties. Members will know that I was very strong on that issue in the House in the last mandate. When Members rise in their place to address the House, they certainly should not personalise remarks to any other Member.

Also, when it comes to referring to political parties in the Chamber, political parties should be known and referred to as what they are registered as with the Assembly. I do not want Members tagging names on to political parties in the House. There is no difficulty with expressing differences of opinion in the House, as long as debates are conducted with common courtesy and respect. I have said continually in the House that different debates and issues will raise different emotions among Members, and I can understand that. However, all of it should be conducted with courtesy, good temper and moderation. I will leave that with Members.

**Wildlife and Natural Environment Bill:  
Royal Assent**

**Welfare of Animals Bill: Royal Assent**

**Assembly Members (Independent  
Financial Review and Standards) Bill:  
Royal Assent**

**Licensing and Registration of Clubs  
(Amendment) Bill: Royal Assent**

**Sunbeds Bill: Royal Assent**

**Civil Registration Bill: Royal Assent**

**High Hedges Bill: Royal Assent**

**Housing (Amendment) Bill: Royal  
Assent**

**Clean Neighbourhoods and  
Environment Bill: Royal Assent**

**Justice Bill: Royal Assent**

**Planning Bill: Royal Assent**

**Single Use Carrier Bags Bill: Royal  
Assent**

**Autism Bill: Royal Assent**

**Mr Speaker:** I inform Members that 13 Bills have received Royal Assent. The Wildlife and Natural Environment Act (Northern Ireland) 2011, the Welfare of Animals Act (Northern Ireland) 2011, the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 and the Licensing

and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 became law on 29 March 2011. The Sunbeds Act (Northern Ireland) 2011, the Civil Registration Act (Northern Ireland) 2011, the High Hedges Act (Northern Ireland) 2011 and the Housing (Amendment) Act (Northern Ireland) 2011 became law on 3 May 2011. The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, the Justice Act (Northern Ireland) 2011, the Planning Act (Northern Ireland) 2011 and the Single Use Carrier Bags Act (Northern Ireland) 2011 became law on 4 May 2011. The Autism Act (Northern Ireland) 2011 became law on 9 May 2011.

I advise Members that the Attorney General for Northern Ireland has asked the Supreme Court to determine whether clause 3 and clause 4(2) of the Damages (Asbestos-related Conditions) Bill would be within the legislative competence of this Assembly. The matter has been listed for consideration by the Supreme Court on 13 June 2011 to 16 June 2011. That is for information to the Assembly.

## **Suspension of Standing Order 20(1)**

**Mr Speaker:** The next item of business is the motion —

**Mr Campbell:** On a point of order, Mr Speaker. We are shortly to appoint Ministers, including a Justice Minister. That person will have to work closely with other Ministers, particularly in relation to legal matters. I ask for your ruling, if not today, at an appropriate point in the future. My understanding is that a Historical Enquiries Team investigation into a murder incident some 30 years ago is to begin this week. If it transpires — my understanding is that it will — that the deputy First Minister's name will be implicated in relation to that investigation, how would a Justice Minister be expected to work in the context of a live investigation that was currently going on, until that matter be dispensed with?

**Mr Speaker:** I thank the Member for his point of order. The Member will know that these are complex issues, so allow me to come back to the Member directly or to the House. It may be that that is a matter for the Minister and the Minister alone.

**Mr Weir:** I beg to move

*That Standing Order 20(1) be suspended for 16 May 2011.*

**Mr Speaker:** Before I proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 20(1) be suspended for 16 May 2011.*

## Appointment of Ministers

**Mr Speaker:** The next item of business is the appointment of Ministers. I will conduct the process for filling those offices in accordance with the procedure set out in section 18 of the Northern Ireland Act 1998 and Standing Order 44. I will ask the nominating officer of each political party in the order required by the formula contained in section 18(5) to select an available ministerial office and nominate a person to hold it who is a member of his or her party and a Member of the Assembly.

I call on the Rt Hon Peter Robinson, as nominating officer of the political party for which the formula laid down in section 18 gives the highest figure, to select a ministerial office and nominate a person to hold it who is a member of his party and a Member of the Assembly.

**Mr P Robinson:** I select the Finance and Personnel portfolio and nominate Mr Sammy Wilson to hold it.

**Mr Speaker:** Will Mr Wilson confirm that he is willing to take up office and affirm the terms of the Pledge of Office?

**Mr Wilson:** Yes, Mr Speaker, I am willing to take up the office of Minister of Finance and Personnel, and I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

*Mr Sammy Wilson appointed Minister of Finance and Personnel.*

**Mr Speaker:** I have received a letter from Mr Pat Doherty notifying me that Mr Martin McGuinness will act as nominating officer for today's business. I call on Mr Martin McGuinness, as acting nominating officer of the political party for which the formula laid down in section 18 gives the highest figure, to select a ministerial office and nominate a person to hold it who is a member of his party and a Member of the Assembly.

**Mr M McGuinness:** Go raibh maith agat, a Cheann Comhairle. Molaim John O'Dowd mar Aire Oideachais. I nominate John O'Dowd as Minister of Education.

**Mr Speaker:** Will Mr O'Dowd confirm that he is willing to take up the office and affirm the terms of the Pledge of Office?

**Mr O'Dowd:** Go raibh maith agat, a Cheann Comhairle. Glacaim leis an phost d'Aire

Oideachais. Yes, I am willing to take up the office of Minister of Education, and I affirm the terms of the Pledge of Office as set out in schedule 4 to the NI Act 1998.

*Mr John O'Dowd appointed Minister of Education.*

**Mr Speaker:** I call again on the Rt Hon Peter Robinson to select a ministerial office and nominate a Member to hold it.

**Mr P Robinson:** I select the Department of Enterprise, Trade and Investment and nominate Arlene Foster to hold the ministerial office.

**Mr Speaker:** Will Mrs Foster confirm that she is willing to take up the office and affirm the terms of the Pledge of Office?

**Mrs Foster:** Yes, I am willing to take up the office of Minister of Enterprise, Trade and Investment, and I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

*Mrs Arlene Foster appointed Minister of Enterprise, Trade and Investment.*

**Mr Speaker:** I call on Mr Elliott, as nominating officer of the political party for which the formula gives the highest figure, to select a ministerial office and nominate a Member to hold it.

**Mr Elliott:** I select the Department for Regional Development and nominate Mr Danny Kennedy to hold the ministerial office.

**Mr Speaker:** Will Mr Kennedy confirm that he is willing to take up the office and affirm the terms of the Pledge of Office?

**Mr Kennedy:** Yes, I am willing to take up the office of Minister for Regional Development, and I affirm the terms of the Pledge of Office as laid out in schedule 4 to the Northern Ireland Act 1998.

*Mr Danny Kennedy appointed Minister for Regional Development.*

**Mr Speaker:** I call again on Mr Martin McGuinness to select a ministerial office and nominate a Member to hold it.

**Mr M McGuinness:** Go raibh maith agat, a Cheann Comhairle. Molaim Michelle O'Neill mar Aire Talmhaíochta agus Forbartha Tuaithe. I nominate Michelle O'Neill to hold the Agriculture and Rural Development portfolio.

**Mr Speaker:** Will Michelle O'Neill confirm that she is willing to take up the office and affirm the terms of the Pledge of Office?

**Mrs O'Neill:** Go raibh maith agat, a Cheann Comhairle. Glacaim leis an phost. Yes, I am willing to take up the office of Minister of Agriculture and Rural Development, and I affirm the terms of the Pledge of Office as set out in schedule 4 to the NI Act 1998.

*Mrs Michelle O'Neill appointed Minister of Agriculture and Rural Development.*

**Mr Speaker:** I call on Ms Margaret Ritchie, as nominating officer of the political party for which the formula gives the highest figure, to select a ministerial office and nominate a Member to hold it.

**Ms Ritchie:** I select the Department of the Environment and nominate Alex Attwood.

**Mr Speaker:** Will Mr Attwood confirm that he is willing to take up the office and affirm the terms of the Pledge of Office?

**Mr Attwood:** Yes, I am willing to take up the office of Minister of the Environment, and I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

*Mr Alex Attwood appointed Minister of the Environment.*

**Mr Speaker:** Once again, I call on the Rt Hon Peter Robinson to select a ministerial office and nominate a Member to hold it.

**Mr P Robinson:** I select the Department for Social Development and nominate Nelson McCausland to hold the ministerial office.

**Mr Speaker:** Will Mr McCausland confirm that he is willing to take up the office and affirm the terms of the Pledge of Office?

**Mr McCausland:** Yes, I am willing to take up the office of Minister for Social Development, and I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

*Mr Nelson McCausland appointed Minister for Social Development.*

**Mr Speaker:** Once again, I call on Mr Martin McGuinness to select a ministerial office and nominate a Member to hold it.

**Mr M McGuinness:** Go raibh maith agat, a Cheann Comhairle. Molaim Carál Ní Chuilín mar Aire Cultúir, Ealaíon agus Fóillíochta. I nominate Carál Ní Chuilín to hold the Culture, Arts and Leisure portfolio.

**Mr Speaker:** Will Carál Ní Chuilín confirm that she is willing to take up the office and affirm the terms of the Pledge of Office?

**Ms Ní Chuilín:** Go raibh maith agat, a Cheann Comhairle. Glacaim leis an phost. Yes, I am willing to take up the office of Minister of Culture, Arts and Leisure, and I affirm the terms of the Pledge of Office as set out in schedule 4 to the NI Act 1998.

*Ms Carál Ní Chuilín appointed Minister of Culture, Arts and Leisure.*

## 12.15 pm

**Mr Speaker:** I call on the Rt Hon Peter Robinson to select a ministerial office and nominate a person to hold it.

**Mr P Robinson:** I select the Health, Social Services and Public Safety portfolio, and I nominate Edwin Poots to hold it.

**Mr Speaker:** Will Mr Poots confirm that he is willing to take up the office and affirm the terms of the Pledge of Office?

**Mr Poots:** Yes, I am willing to take up the office of Minister of Health, Social Services and Public Safety, and I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

*Mr Edwin Poots appointed Minister of Health, Social Services and Public Safety.*

**Mr Speaker:** I call on Mr David Ford, as nominating officer of the political party for which the formula gives the highest figure, to select a ministerial office and nominate a Member to hold it.

**Mr Ford:** The remaining Department is the Department for Employment and Learning. I have great pleasure in nominating Dr Stephen Farry as Minister.

**Mr Speaker:** Will Dr Stephen Farry confirm that he is willing to take up the office and affirm the terms of the Pledge of Office?

**Dr Farry:** Yes, I am willing to take up the office of Minister for Employment and Learning, and I affirm the terms of the Pledge of Office as set

out in schedule 4 to the Northern Ireland Act 1998.

*Dr Stephen Farry appointed Minister for Employment and Learning.*

**Mr Speaker:** I thank the House for its patience. That concludes the appointment of Ministers under the d'Hondt process. I offer my congratulations to all Ministers on taking up office.

## **Appointment of Junior Ministers**

**Mr Speaker:** I have received correspondence from the First Minister and deputy First Minister in relation to the appointment of junior Ministers. The letter states:

*"Pursuant to the procedure for the appointment of junior Ministers specified in paragraph 3(1) of the determination made by the then First Minister and deputy First Minister on 8 December 1999, as approved by the Assembly on 14 December 1999, we have appointed Jonathan Bell MLA and Martina Anderson MLA as junior Ministers in the Office of the First Minister and deputy First Minister. A copy of the letter of appointment is attached."*

Will Mr Bell affirm the terms of the Pledge of Office?

**Mr Bell:** I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

*Mr Bell appointed a junior Minister.*

**Mr Speaker:** Will Martina Anderson affirm the terms of the Pledge of Office?

**Ms M Anderson:** Tá mé toilteanach glacadh leis an oifig seo. I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

*Ms Martina Anderson appointed a junior Minister.*

**Mr Speaker:** That concludes the business of appointing junior Ministers. Once again, I offer my congratulations to the junior Ministers on taking up office.

## Minister of Justice

**Mr Speaker:** I will conduct the process of the filling of the office of Minister of Justice in accordance with the procedures set out in Part 1A of schedule 4A to the Northern Ireland Act 1998 and Standing Order 44A. I will begin by asking for nominations. Any Member may rise and nominate another Member of the Assembly to hold the office of Minister of Justice. If Members rise from more than one party, I will call first the Member from the largest of those parties to make a nomination, which is the convention for other items of business.

I advise Members that the Act requires that one nomination must be processed before a further nomination can be made. I will, therefore, take only one nomination at a time and put the Question on that nomination. If the Assembly resolves by parallel consent that the Member nominated shall be Minister of Justice and that person takes up office as required by the Act and Standing Orders, no further nominations may be made. I will call for further nominations only if those conditions are not fulfilled. I advise the House that a debate will take place on each nomination. If Members indicate that they wish to speak, they may do so for up to three minutes. If that is clear, we shall proceed.

Do I have a nomination of a Member to hold the office of Minister of Justice?

**Mr Weir:** I have great pleasure in nominating Paul Givan for the position of Minister of Justice.

**Mr Speaker:** Mr Paul Givan has been nominated. Will he accept the nomination?

**Mr Givan:** I accept the nomination, Mr Speaker.

**Mr Weir:** I took great pleasure in proposing the name of my colleague and friend Paul Givan for the post of Minister of Justice.

Some time ago, when the House took on the role of justice, some naysayers in our society predicted that the sky was about to fall. Indeed, there were dire predictions of what would happen if responsibility for justice came to the House. It is clear to everyone, and particularly recently to the electorate, that those fears have been unfounded.

It is a sign of the growing maturity of the House that we have moved things forward to the extent that, with the occasional exception, no Member would now oppose the devolution of policing and

justice. It is the opportunity for us to shape our destiny. For many of our constituents, the issues of law and order and of justice lie at the very heart of our society, and it is in that spirit of moving things forward that I propose Paul Givan for the post of Justice Minister.

I will give some background. Paul grew up in a family involved in the Prison Service — I should say on the right side of the prison walls. Therefore, he is someone who, it might be said, has been in apprenticeship for this job for all his life. He is also someone who in public life has experience of government, serving first as a local councillor and then as a special adviser to Edwin Poots, who was then Minister of the Environment. Latterly, as a Member of the Assembly, he has served with distinction on the Justice Committee. The sort of vision that Paul can bring to the post will benefit all society.

As a party, one of our key pledges was tougher sentences. We believe that the criminal needs to be tackled. At times, too many people in the justice system still get off with too light a sentence. It is important that we have someone in post who will fight for those issues at the heart of government, and Paul is well placed to do so. It is a marker of something that we want to see happen and to which we will come back if we are unsuccessful today. Should we fail to gain cross-community support, we will not be obstructive and stand in the way of appointing a Justice Minister. However, I believe that Paul has demonstrated the experience and ability for the post and will provide the fresh face at the Department of Justice that can help to take forward society in Northern Ireland. I am therefore happy to have proposed Paul Givan.

**Mr McNarry:** Last Friday, at the talks preparing for today, which, I might say, seems to have gone rather well so far, we put forward a practical proposition to run all Departments under d'Hondt, in the spirit of respecting all mandates and of connecting or reconnecting the work that we do in this institution to the people who sent us here. Our best efforts were not reciprocated, and, despite some other parties seeing merit in our proposals, we find that the Alliance Party will not concede on policing and justice.

I must say that I am somewhat surprised by the name that the DUP put forward, but, nevertheless, on behalf of the Ulster Unionists, I recognise him as someone with whom I have



served on the Justice Committee, where I could see the obvious talents that were there. I like the idea that he might be a bit more right-wing than some of his colleagues. That having been said, it may — *[Laughter.]*

**Mr Speaker:** Order, Members. Allow the Member to continue.

**Mr McNarry:** Members will also have taken on board the cautionary note that Mr Givan's proposer implanted in the debate, which was, "if we are unsuccessful". It may indeed turn out that, as in the past, intransigence will be rewarded with a ministerial position, but that remains to be seen. We are where we are today. We are going through a process that will be repeated in 12 months' time, when we will run d'Hondt for all 12 Departments. Therefore, what we are doing now seems somewhat confusing for the public who may be watching or listening.

The Ulster Unionists will work this process. We will recognise the Minister of Justice and the role that he — it is likely to be a he — will have in the Government during the time of his or her office. The issues that will confront such a Minister will require the guidance and indeed support of all parties. We will play our role in protecting that Minister because —

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

**Mr McNarry:** That Minister will have in his power the lives of all our citizens. Whoever that is, we will play our part. We wish that Minister well.

**Mr Allister:** With your permission, Mr Speaker, I will reserve my comments until we get beyond what I suspect is the stalking horse candidate.

**Mr Agnew:** I am delighted to be in a position to speak today after having been elected by the people of North Down. I take the opportunity of my maiden speech to thank all those who put their faith in me to represent them as their MLA —

**Mr Speaker:** Order. The debate is about the nomination of a Justice Minister. I appreciate that the Member may be very anxious to make his maiden speech, but I suggest that it should not be made during this debate.

**Mr Agnew:** No problem, Mr Speaker. It was seen as a success of the last Assembly that we were able to devolve policing and justice to Northern Ireland. However, it will be a failure of this Assembly if we do not agree that, in

future, we should treat the position of Justice Minister like any other. My party has no great love of d'Hondt. However, for as long as other Ministries are appointed by d'Hondt, we believe that the Justice Minister should be appointed in that manner.

I accept that we are where we are. We all know how we got here. However, if we are truly to keep Northern Ireland moving forward, we have to keep our politics moving forward. Treating the Justice Ministry like any other is part of that process. I wish the new Justice Minister — whoever that may be — the best of luck in their role. However, I hope that, when we come to review the process by which we appoint the Justice Minister, we will agree that that portfolio should be treated like any other.

### 12.30 pm

**Mr Speaker:** That concludes the debate. Before we proceed to the Question, I remind the House that the Northern Ireland Act 1998 requires that the resolution must be passed by parallel consent.

*Question put, That Mr Paul Givan be the Minister of Justice.*

*The Assembly divided: Ayes 37; Noes 51.*

### AYES

#### Unionist:

*Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mrs Lewis, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr S Anderson and Mr G Robinson.*

### NOES

#### Nationalist:

*Ms M Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Dallat, Mr Doherty, Mr Durkan, Mr Eastwood, Mr Flanagan, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Mr McElduff,*

*Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McLaughlin, Mr McMullan, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr Sheehan.*

**Other:**

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.*

*Tellers for the Noes: Mr McDevitt and Mr McKay.*

Total votes	88	Total Ayes	37	[42.0%]
Nationalist Votes	42	Nationalist Ayes	0	[0.0%]
Unionist Votes	37	Unionist Ayes	37	[100%]
Other Votes	9	Other Ayes	0	[0.0%]

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Beggs, Mr Copeland, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McClarty, Mr B McCrea, Mr McNarry, Mr Nesbitt, Mrs Overend, Mr Swann.*

*Question accordingly negatived.*

**Mr Speaker:** Do I have a nomination for a Member to hold the office of Minister of Justice?

**Ms Ritchie:** I would like to nominate my colleague Alban Maginness, who is a gentleman of considerable ability, not only political but legal. He has a considerable background as a practising barrister of many years and would be eminently qualified to undertake the position of Minister of Justice.

We believe that it should have been possible — indeed, it still is possible — to have an agreed running of d'Hondt. That is the only way —

**Mr Weir:** On a point of order, Mr Speaker. Perhaps you could clarify something. I thought that the person who had been nominated had to accept that nomination before we have speeches on the issue. The leader of the SDLP seems to have got ahead of herself a little bit.

**Mr Speaker:** I believe that Ms Ritchie is trying to make the nomination and say what she is going to say. I will then ask the Member whether he accepts.

**Ms Ritchie:** We believe that d'Hondt should have been the process for selecting and electing the Justice Minister. We said that at negotiations the other night, and we maintain that position. We believe that allocating

Ministries to those who do not have the legitimate democratic entitlement simply serves to undermine democracy. It is a gross political distortion when two parties —

**Mr Speaker:** Order. I am trying to be careful not to widen this debate. The Member should speak about the person who has been nominated, not about the process. We have debated the process and have now moved on to nominations. I remind the whole House of that.

**Ms Ritchie:** I nominate Mr Maginness, a person who is eminently qualified for the job.

**Mr Speaker:** Mr Maginness, do you accept the nomination?

**Mr A Maginness:** I do.

**Mr Speaker:** The nomination is now open for debate, which I remind Members is about the nomination of the Member, not a wider debate. That debate has already happened in the Chamber, and it is over. The debate is now about the person who has been nominated by Ms Ritchie.

**12.45 pm**

**Mr McNarry:** As the House appreciated my earlier remarks, in deference to you and to the House, I have no further comment to make.

**Mr Speaker:** Mr Agnew is on the list as well. Does the Member wish to say anything?

**Mr Agnew:** I refer to my previous comments. I have nothing further to say.

**Mr Speaker:** Before we proceed to the Question, I again remind the House that the Northern Ireland Act 1998 requires that the resolution must be passed by parallel consent.

*Question put, That Mr Alban Maginness be the Minister of Justice.*

*The Assembly divided: Ayes 42; Noes 46.*

**AYES**

**Nationalist:**

*Ms M Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Dallat, Mr Doherty, Mr Durkan, Mr Eastwood, Mr Flanagan, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt,*



Mr McElduff, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McLaughlin, Mr McMullan, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr D Bradley and Mr W Clarke.

## NOES

### Unionist:

Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mrs Lewis, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.

### Other:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr S Anderson and Mr G Robinson.

Total votes	88	Total Ayes	42	[47.7%]
Nationalist Votes	42	Nationalist Ayes	42	[100.0%]
Unionist Votes	37	Unionist Ayes	0	[0.0%]
Other Votes	9	Other Ayes	0	[0.0%]

The following Members voted in both Lobbies and are therefore not counted in the result:

Mr Beggs, Mr Copeland, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McClarty, Mr B McCrea, Mr McNarry, Mr Nesbitt, Mrs Overend, Mr Swann.

Question accordingly negatived.

**Mr Speaker:** Do I have a nomination of a Member to hold the office of Minister of Justice?

**Mr Elliott:** I nominate Mr Danny Kinahan, and I will not make a long speech about him, Mr Speaker.

**Mr Speaker:** Mr Kinahan, do you accept the nomination?

**Mr Kinahan:** I accept the nomination.

**Mr Speaker:** Mr Elliott, do you want to say anything further?

**Mr Elliott:** Clearly, Danny Kinahan has been a citizen of Northern Ireland. He knows how the

Prison Service operates, and he has served in Her Majesty's forces and the Ministry of Defence. I think that he would make an excellent Justice Minister. Depending on what level of justice you require, I am sure that Danny can come up with something for it. He is our nomination, and we support him.

**Mr Speaker:** No other Member has asked to speak.

Question put, That Mr Danny Kinahan be the Minister of Justice.

The Assembly divided: Ayes 52; Noes 37.

## AYES

### Unionist:

Mr Allister, Mr S Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Copeland, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Kennedy, Mr Kinahan, Mrs Lewis, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, 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.

### Other:

Mr Agnew.

Tellers for the Ayes: Mr McCallister and Mr B McCrea.

## NOES

### Nationalist:

Ms M Anderson, Mr Boylan, Ms Boyle, Mr Brady, Mr W Clarke, Mr Doherty, Mr Flanagan, Ms Gildernew, Mr G Kelly, Mr Lynch, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr McMullan, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

### Other:

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

*Tellers for the Noes: Mr McMullan and Mr Molloy.*

Total votes	89	Total Ayes	52	[58.4%]
Nationalist Votes	29	Nationalist Ayes	0	[0.0%]
Unionist Votes	51	Unionist Ayes	51	[100.0%]
Other Votes	9	Other Ayes	1	[11.1%]

*The following Members voted in both Lobbies and are therefore not counted in the result:*

*Mr Attwood, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr A Maginness, Mr McClarty, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr P Ramsey, Ms Ritchie.*

*Question accordingly negatived.*

**Mr Speaker:** Do we have a nomination for a Member to hold the office of Minister of Justice?

**Dr Farry:** It is my great honour and privilege to propose my party leader David Ford as Minister of Justice. At this stage, David Ford is the only person capable of achieving cross-community support in the Chamber according to the method of election of the Justice Minister as set out in legislation. Other parties have had the opportunity to make their nominations, and those nominations have fallen.

David Ford brings great attributes to the post of Justice Minister. Indeed, he is the outgoing Justice Minister and served with great distinction over the past year. The devolution of justice was a controversial issue this time a year ago. Today, the devolution of policing and justice is widely accepted across the community, and David Ford has established the confidence of all stakeholders and wider society in the performance of his functions.

David Ford has a strong track record of delivery over the past year, including an addendum to the Programme for Government in which he addressed most of the issues. He fulfilled all the requirements set out in the Hillsborough agreement of February 2010 and passed a long, comprehensive piece of justice legislation. He has established a clear sense of direction for the justice system in Northern Ireland in tackling difficult issues such as legal aid and prison reform. He secured additional resources for the police in order to combat the dissident threat, set out a programme for how we better manage offending and set out a strong, liberal direction in which we can take justice forward with the central objective of ensuring that we promote community safety and that the people of Northern Ireland are safe at home, on the

streets and in their work places. He would make an excellent Justice Minister and can, once again, command the support of the House and the wider community.

**Mr Speaker:** Mr Ford has been nominated. Mr Ford, do you accept the nomination?

**Mr Ford:** Yes, Mr Speaker, I accept nomination.

**Mr Speaker:** The nomination will now be open for debate.

**Mr Allister:** Having appointed, on Thursday and today, something like 15 Ministers without debate and without a vote, I suppose that we should be grateful for the opportunity to debate this proposition, although we all see through and know the charade of the past hour. There were deliberate stalking horse candidates to bring us to this point, when the two blocs in the House will restore Mr Ford to his office. He always was a placeman of the DUP and Sinn Féin in the House, and it is because he has not disappointed them that he will be re-elected today.

### 1.15 pm

Mr Ford has, of course, disappointed those who wished to see a firm hand on the tiller of justice. In many respects he has been the Minister of escapes. You, Mr Speaker, might think that you have an open-door policy, but it is nothing compared to Mr Ford's. Mr Ford has lost more prisoners than I have lost elections. *[Laughter.]* Some might say that that takes some beating.

On the serious issue of dealing with the upsurge in IRA terrorism, I fear that, in Minister Ford, we have someone who does not really have a notion of how to face it.

The election of Mr Ford, which will inevitably happen today, also underscores something of the inequity of this House. His election, courtesy of those who elect him, will deliver an anti-unionist majority on the Executive. It also achieves the remarkable feat of setting mathematics on its head, as 16 equals one and eight equals two when it comes to the filling of Executive places. That, without elaboration, is a commentary on the gross inequity that lies at the heart of administration in this Province. And so, I will not be able to lend my support to the re-election of someone to the no-unionist-need-apply, gerrymandered post of Justice Minister.

*Question put, That Mr David Ford be the Minister of Justice.*

The Assembly divided: Ayes 73; Noes 28.

## AYES

### Nationalist:

Ms M Anderson, Mr Boylan, Ms Boyle, Mr Brady, Mr W Clarke, Mr Doherty, Mr Flanagan, Ms Gildernew, Mr G Kelly, Mr Lynch, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr McMullan, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

### Unionist:

Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mrs Lewis, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.

### Other:

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Dickson and Ms Lo.

## NOES

### Nationalist:

Mr Attwood, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr A Maginness, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr P Ramsey, Ms Ritchie.

### Unionist:

Mr Allister, Mr Beggs, Mr Copeland, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr Nesbitt, Mrs Overend, Mr Swann.

### Other:

Mr Agnew.

Tellers for the Noes: Mr Allister and Mr Eastwood.

Total votes	101	Total Ayes	73	[72.3%]
Nationalist Votes	42	Nationalist Ayes	29	[69.0%]
Unionist Votes	50	Unionist Ayes	36	[72.0%]
Other Votes	9	Other Ayes	8	[88.9%]

The following Member voted in both Lobbies and is therefore not counted in the result: Mr McClarty.

Question accordingly agreed to.

Resolved (by parallel consent):

That Mr David Ford be the Minister of Justice.

## 1.30 pm

**Mr Speaker:** I now ask Mr Ford to affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

**Mr Ford:** I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

Mr David Ford appointed Minister of Justice.

**Mr Speaker:** I now confirm that Mr Ford, having affirmed the terms of the Pledge of Office, has taken up office as Minister of Justice, in accordance with the Northern Ireland Act 1998. I offer him my congratulations.

As agreed by the Business Committee, I propose, by leave of the Assembly, to suspend the sitting until 2.30 pm.

The sitting was suspended at 1.30 pm.

On resuming —

2.30 pm

## Statutory Committees

**Mr Speaker:** This is a business motion, so there will be no debate.

*Resolved:*

*That, in accordance with Standing Orders 46 and 47, this Assembly determines that 12 Statutory Committees shall be established, as follows:*

- the Committee for Agriculture and Rural Development;*
- the Committee for Culture, Arts and Leisure;*
- the Committee for Education;*
- the Committee for Employment and Learning;*
- the Committee for Enterprise, Trade and Investment;*
- the Committee for the Environment;*
- the Committee for Finance and Personnel;*
- the Committee for Health, Social Services and Public Safety;*
- the Committee for Justice;*
- the Committee for the Office of the First Minister and deputy First Minister;*
- the Committee for Regional Development;*
- the Committee for Social Development.*

*Terms of reference, quorum and composition of the Committees shall be as prescribed in Standing Orders 48 and 49. — [Mr P Ramsey.]*

## Statutory Committees: Chairpersons and Deputy Chairpersons

**Mr Speaker:** I shall ask the nominating officer or acting nominating officer of each political party, in the order required by the formula contained in Standing Order 48, to select an available Statutory Committee and to nominate a person who is a member of his or her party and a Member of the Assembly to be its Chairperson or Deputy Chairperson.

I shall now call on the Rt Hon Peter Robinson, as nominating officer of the party that has the highest figure under the formula, to select an available Statutory Committee and nominate a person who is a member of his party and a Member of the Assembly to be its Chairperson or Deputy Chairperson.

**Mr P Robinson:** I nominate Paul Givan to be Chairperson of the Committee for Justice.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Givan:** I am.

*Mr Paul Givan appointed Chairperson of the Committee for Justice.*

**Mr Speaker:** I now call on Mr Martin McGuinness to select an available Statutory Committee and to nominate a Member to be its Chairperson or Deputy Chairperson.

**Mr M McGuinness:** Go raibh maith agat, a Cheann Comhairle. Molaim Conor Murphy mar Chathaoirleach. I propose that Conor Murphy be Chairperson of the Committee for Finance and Personnel.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Murphy:** Glacaim leis an phost. I accept the post.

*Mr Conor Murphy appointed Chairperson of the Committee for Finance and Personnel.*

**Mr Speaker:** I call again on the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I nominate Mervyn Storey to be the Chairperson of the Committee for Education.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Storey:** I am willing to take up the position for which I have been nominated, Mr Speaker.

*Mr Mervyn Storey appointed Chairperson of the Committee for Education.*

**Mr Speaker:** I call on Mr Elliott to select an available Statutory Committee and to nominate a Member to be its Chairperson or Deputy Chairperson.

**Mr Elliott:** I select the Committee for the Office of the First Minister and deputy First Minister and nominate myself to be Chairperson.

**Mr Speaker:** Is the Member willing to take up the office for which he has nominated himself?  
[Laughter.]

**Mr Elliott:** I should have done it all while I was up, Mr Speaker. I accept.

*Mr Tom Elliott appointed Chairperson of the Committee for the Office of the First Minister and deputy First Minister.*

**Mr Speaker:** I call again on Mr Martin McGuinness to select an available Statutory Committee and to nominate a Member to be its Chairperson or Deputy Chairperson.

**Mr M McGuinness:** Molaim Michelle Gildernew mar Chathaoirleach. I propose that Michelle Gildernew be Chairperson of the Committee for Health, Social Services and Public Safety.

**Mr Speaker:** Is the Member willing to take up the office for which she has been nominated?

**Ms Gildernew:** Glacaim leis an phost. I accept the position.

*Ms Michelle Gildernew appointed Chairperson of the Committee for Health, Social Services and Public Safety.*

**Mr Speaker:** I call on Ms Margaret Ritchie to select and nominate.

**Ms Ritchie:** I propose that Alban Maginness chair the Committee for Enterprise, Trade and Investment.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr A Maginness:** Yes, Mr Speaker, I am.

*Mr Alban Maginness appointed Chairperson of the Committee for Enterprise, Trade and Investment.*

**Mr Speaker:** I call again on the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I nominate Paul Frew to be the Chairperson of the Committee for Agriculture and Rural Development.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Frew:** I am, Mr Speaker.

*Mr Paul Frew appointed Chairperson of the Committee for Agriculture and Rural Development.*

**Mr Speaker:** I call again on Mr Martin McGuinness to select and nominate.

**Mr M McGuinness:** Molaim Alex Maskey mar Chathaoirleach. I propose that Alex Maskey be Chairperson of the Committee for Social Development.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr A Maskey:** Glacaim leis an phost. I accept the post, Mr Speaker.

*Mr Alex Maskey appointed Chairperson of the Committee for Social Development.*

**Mr Speaker:** I call again on the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I nominate Michelle McIlveen to be the Chairperson of the Committee for Culture, Arts and Leisure.

**Mr Speaker:** Is the Member willing to take up the office for which she has been nominated?

**Miss M McIlveen:** Yes, Mr Speaker, I am.

*Miss Michelle McIlveen appointed Chairperson of the Committee for Culture, Arts and Leisure.*

**Mr Speaker:** I call on Mr David Ford to select and nominate.

**Mr Ford:** I nominate Anna Lo as Chairperson of the Committee for the Environment.

**Mr Speaker:** Is the Member willing to take up the office for which she has been nominated?

**Ms Lo:** Yes, Mr Speaker, I am.

*Ms Anna Lo appointed Chairperson of the Committee for the Environment.*



**Mr Speaker:** I call again on Mr Tom Elliott to select and nominate.

**Mr Elliott:** I select the Committee for Employment and Learning and nominate Mr Basil McCrea to be Chairperson.

**Mr Speaker:** I announce the appointment of Basil McCrea as Chairperson of the Committee for Employment and Learning.

**Mr Kennedy:** Is he going to take it?

**Mr Speaker:** Is the Member willing to take it?

**Mr B McCrea:** I am happy to, Mr Speaker. You anticipated correctly.

**Mr Speaker:** I apologise.

I call again on the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I nominate Jimmy Spratt to be Chairperson of the Committee for Regional Development.

**Mr Speaker:** Is the Member who has been nominated willing to take up the office for which he has been nominated?

**Mr Spratt:** I am.

*Mr Jimmy Spratt appointed Chairperson of the Committee for Regional Development.*

**Mr Speaker:** Once again, I call on Mr Martin McGuinness to select and nominate.

**Mr M McGuinness:** Molaim Raymond McCartney mar Leas Chathaoirleach. I nominate Raymond McCartney to be Deputy Chairperson of the Committee for Justice.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr McCartney:** Glacaim leis an phost. I am.

*Mr Raymond McCartney appointed Deputy Chairperson of the Committee for Justice.*

**Mr Speaker:** I call again on Ms Margaret Ritchie to select and nominate.

**Ms Ritchie:** I nominate Mrs Dolores Kelly as Deputy Chairperson of the Committee for Agriculture and Rural Development.

**Mr Speaker:** Is the Member willing to take up the office for which she has been nominated?

**Mrs D Kelly:** Yes, I am.

*Mrs Dolores Kelly appointed Deputy Chairperson of the Committee for Agriculture and Rural Development.*

**Mr Speaker:** Once again, I call on the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I nominate Simon Hamilton to be Deputy Chairperson of the Committee for the Environment.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Hamilton:** I am.

*Mr Simon Hamilton appointed Deputy Chairperson of the Committee for the Environment.*

**Mr Speaker:** Once again, I call on Mr Martin McGuinness to select and nominate.

**Mr M McGuinness:** Molaim Daithí McKay mar LeasChathaoirleach. I nominate Daithí McKay to be Deputy Chairperson of the Committee for Enterprise, Trade and Investment.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr McKay:** Glacaim leis an phost, a Cheann Comhairle. I accept.

*Mr Daithí McKay appointed Deputy Chairperson of the Committee for Enterprise, Trade and Investment.*

**Mr Speaker:** Once again, I call on the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I nominate Tom Buchanan to be Deputy Chairperson of the Committee for Employment and Learning.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Buchanan:** I am.

*Mr Thomas Buchanan appointed Deputy Chairperson of the Committee for Employment and Learning.*

**Mr Speaker:** Once again, I call on Mr Tom Elliott to select and nominate.

**Mr Elliott:** I select the Deputy Chair of the Committee for Education and nominate Mr David McNarry.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr McNarry:** Yes, I am.

*Mr David McNarry appointed Deputy Chairperson of the Committee for Education.*

**Mr Speaker:** Once again, I call on Mr Martin McGuinness to select and nominate.

**Mr M McGuinness:** Molaim Pat Doherty mar LeasChathaoirleach. I nominate Pat Doherty to be Deputy Chairperson of the Committee for Regional Development.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Doherty:** I accept the appointment, a Cheann Comhairle.

*Mr Pat Doherty appointed Deputy Chairperson of the Committee for Regional Development.*

**Mr Speaker:** Once again, I call on the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** In his absence due to illness but with his consent, I nominate William Irwin to be Deputy Chairman of the Committee for Culture, Arts and Leisure.

**Mr Speaker:** I confirm that I have a letter from Mr William Irwin in which he accepts the position of Deputy Chairman of the Committee for Culture, Arts and Leisure.

*Mr William Irwin appointed Deputy Chairperson of the Committee for Culture, Arts and Leisure.*

**Mr Speaker:** Once again, I call on Ms Margaret Ritchie to select and nominate.

**Ms Ritchie:** I nominate Mr Dominic Bradley as Deputy Chairperson of the Committee for Finance and Personnel.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr D Bradley:** Glacaim leis an cheapachán, a Cheann Comhairle. I accept the appointment.

*Mr Dominic Bradley appointed Deputy Chairperson of the Committee for Finance and Personnel.*

**Mr Speaker:** Once again, I call on the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I nominate Jim Wells to be Deputy Chairman of the Committee for Health, Social Services and Public Safety.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Wells:** Yes.

*Mr Jim Wells appointed Deputy Chairperson of the Committee for Health, Social Services and Public Safety.*

**2.45 pm**

**Mr Speaker:** Once again, I call Mr Martin McGuinness to select a nominee.

**Mr M McGuinness:** Molaim Mickey Brady mar LeasChathaoirleach. I nominate Mickey Brady to be Deputy Chairperson of the Committee for Social Development.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Brady:** Glacaim leis an phost, a Cheann Comhairle. I accept.

*Mr Mickey Brady appointed Deputy Chairperson of the Committee for Social Development.*

**Mr Speaker:** Once again, I call Mr David Ford to select a nominee.

**Mr Ford:** I nominate Chris Lyttle as Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister.

**Mr Speaker:** Is the Member who has been nominated willing to take up the office for which he has been nominated?

**Mr Lyttle:** Yes, Mr Speaker, I accept.

*Mr Chris Lyttle appointed Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister.*

**Mr Speaker:** I thank Members for their patience. That concludes the appointment of Chairpersons and Deputy Chairpersons of Statutory Committees. I congratulate them and wish them well in their jobs.

## **Standing Committees: Chairpersons and Deputy Chairpersons**

**Mr Speaker:** The next item of business on the Order Paper is the appointment of Chairs and Deputy Chairs of Standing Committees. I am required to supervise the appointment of a Chairperson and Deputy Chairperson to each Standing Committee, other than the Business Committee, in accordance with the procedure set out in Standing Order 51. I shall ask the nominating officer or acting nominating officer of each political party, in the order required by the formula contained in Standing Order 51(2), to select an available Standing Committee and nominate a person who is a member of his party and a Member of the Assembly to be Chairperson or Deputy Chairperson of it. If that is clear, we shall proceed.

I shall now call on the Rt Hon Peter Robinson, as nominating officer of the party that has the highest figure under the formula laid down in Standing Orders, to select an available Standing Committee and nominate a person who is a member of his party and a Member of the Assembly to be Chairperson or Deputy Chairperson of it.

**Mr P Robinson:** I select the Assembly and Executive Review Committee and nominate Stephen Moutray as Chairperson.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Moutray:** I am, Mr Speaker.

*Mr Stephen Moutray appointed Chairperson of the Assembly and Executive Review Committee.*

**Mr Speaker:** I now call Mr Martin McGuinness to select an available Standing Committee and nominate a person who is a member of his party and a Member of the Assembly to be Chairperson or Deputy Chairperson of it.

**Mr M McGuinness:** Molaim Paul Maskey mar Chathaoirleach. I nominate Paul Maskey to be Chair of the Public Accounts Committee.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr P Maskey:** Glacaim leis an phost, a Cheann Comhairle. I will.

*Mr Paul Maskey appointed Chairperson of the Public Accounts Committee.*

**Mr Speaker:** Once again, I call the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I select the Standards and Privileges Committee and nominate Alastair Ross as Chairman.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Ross:** I accept, Mr Speaker.

*Mr Alastair Ross appointed Chairperson of the Committee on Standards and Privileges.*

**Mr Speaker:** I now call Mr Tom Elliott to select an available Standing Committee and nominate a person who is a member of his party and a Member of the Assembly to be Chairperson or Deputy Chairperson of it.

**Mr Elliott:** I select the Audit Committee and nominate Mr Danny Kinahan as Chairperson.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Kinahan:** I am willing, Mr Speaker.

*Mr Danny Kinahan appointed Chairperson of the Audit Committee.*

**Mr Speaker:** I now call Mr Martin McGuinness to select an available Standing Committee and nominate a person who is a member of his party and a Member of the Assembly to be Chairperson or Deputy Chairperson of it.

**Mr M McGuinness:** Molaim Sue Ramsey mar Chathaoirleach. I nominate Sue Ramsey to be Chair of the Procedures Committee.

**Mr Speaker:** Is the Member willing to take up the office for which she has been nominated?

**Ms S Ramsey:** I am, a Cheann Comhairle.

*Ms Sue Ramsey appointed Chairperson of the Committee on Procedures.*

**Mr Speaker:** I now call Ms Margaret Ritchie to select a nominee.

**Ms Ritchie:** I nominate Joe Byrne to be Deputy Chair of the Public Accounts Committee.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Byrne:** Yes, Mr Speaker, I accept.

*Mr Joe Byrne appointed Deputy Chairperson of the Public Accounts Committee.*

**Mr Speaker:** I call the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I nominate Trevor Clarke to be Deputy Chairperson of the Committee on Procedures.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr T Clarke:** I am.

*Mr Trevor Clarke appointed Deputy Chairperson of the Committee on Procedures.*

**Mr Speaker:** Once again, I call Mr Martin McGuinness to select and nominate.

**Mr M McGuinness:** Molaim Pat Sheehan mar LeasChathaoirleach. I nominate Pat Sheehan to be Deputy Chair of the Assembly and Executive Review Committee.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Sheehan:** Glacaim leis an phost, a Cheann Comhairle. I accept the post.

*Mr Pat Sheehan appointed Deputy Chairperson of the Assembly and Executive Review Committee.*

**Mr Speaker:** Once again, I call the Rt Hon Peter Robinson to select and nominate.

**Mr P Robinson:** I nominate David Hilditch to be Deputy Chairperson of the Audit Committee.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr Hilditch:** I accept, Mr Speaker.

*Mr David Hilditch appointed Deputy Chairperson of the Audit Committee.*

**Mr Speaker:** Once again, I call Mr Ford to select and nominate.

**Mr Ford:** I nominate Kieran McCarthy to be Deputy Chairperson of the Committee on Standards and Privileges.

**Mr Speaker:** Is the Member willing to take up the office for which he has been nominated?

**Mr McCarthy:** Yes, Mr Speaker, I am willing to take up the office.

*Mr Kieran McCarthy appointed Deputy Chairperson of the Committee on Standards and Privileges.*

**Mr Speaker:** That concludes the appointment of Chairpersons and Deputy Chairpersons of Standing Committees.

## Private Members' Business

### Principal Deputy Speaker

**Mr Speaker:** The next item of business is a motion on a Principal Deputy Speaker. The Business Committee has agreed to allow up to one hour for this debate. The proposer will have five minutes in which to propose the motion and five minutes to make a winding-up speech. All other Members who are called to speak will have three minutes.

**Mr Weir:** I beg to move

*That this Assembly agrees that there shall be a Principal Deputy Speaker and directs the Committee on Procedures, as its first priority, to table the necessary amendments to Standing Orders by 6 June 2011.*

I am sure that the motion will capture the headlines tomorrow as, obviously, the key bit of business in the Chamber. I believe that this is a relatively straightforward proposal, so I hope not to detain the House too long in connection with it. It is a proposal that is grounded in a degree of common sense. The position is that, although the principle of having a Principal Deputy Speaker is accepted, the motion essentially sets the ball rolling to establish the role and, in terms of the detail, tasks the Committee on Procedures with tabling the necessary amendments by 6 June.

In addition to you, Mr Speaker, we have three Deputy Speakers who are elected. However, at present, when it comes to either a line of succession or protocol, there is no indication of who should be the principal person who should take your place when you are tied up or away, perhaps on parliamentary business for the Assembly, or when invitations clash, as happened on one occasion.

The motion sets forth a relatively straightforward and simple solution and, in effect, sets up a chain of command to a degree that one of the Deputy Speakers, to be decided by the Assembly, will be the Principal Deputy Speaker. That person is meant, if you like, to fill in on such occasions. From that point of view, I do not envisage that the Principal Deputy Speaker would be given any additional powers. Although that will be a matter on which the Committee on Procedures will deliberate, it is essentially a protocol issue. Similarly, I do not believe that this should lead to any additional expenditure

on behalf of the Assembly. Indeed, I do not think that the Assembly would find favour with that. Therefore, this is a common-sense solution to the issue, so I am happy to propose it to the House.

**Mr McCallister:** There has not been a great deal of clarity on what we are actually talking about with this issue. I suppose that the Speaker has two main sets of functions: first, those that are categorised by the Northern Ireland Act 1998 and in Standing Orders; and, secondly, broadly representational duties. Mr Weir argued that this would merely clarify protocol. However, one would have to question how we have survived since 1998 without having a Principal Deputy Speaker. So I am not sure that that argument stands up to a great deal of scrutiny.

We have issues. This seems to me very much like part of the carve-up. There will probably not be many surprises as to who the candidate for Principal Deputy Speaker is. I would be surprised if it turns out to be John Dallat.

**A Member:** So would he.

**Mr McCallister:** That is right: he would be even more shocked. We have issues with supporting the proposal because of —

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

**Mr McCallister:** Certainly. It seems purely about continuing the carve-up.

**Mr Weir:** I thank the Member for giving way. Obviously, his time is very short, so I will keep this brief. This is done in other jurisdictions. For example, the Mother of Parliaments has, effectively, a Deputy Speaker who is in a position above the other Deputy Speakers. If the Ulster Unionists oppose this, they will not be following the protocol and procedures that apply in the Mother of Parliaments.

**Mr Speaker:** The Member has an extra minute in which to speak.

**Mr McCallister:** I am sure that Mr Weir knows perfectly well that, having got through from 1998 with the arrangements that we have had, particularly in the past term, there were no occasions when it proved hugely problematic for you, Mr Speaker, or the three Deputy Speakers. One imagines that the same will apply in this term. You were elected last Thursday, and there are three Deputy Speakers in post. One wonders why we need to elevate one slightly



above the other two. There is no logic behind Mr Weir's argument that it should be done just because it happens in Westminster. The arrangements are to give confidence to all sides of the House that they will be recognised. The Speaker has been elected from the largest party in this Chamber, with the Deputy Speakers coming from the three next largest parties. That seems to be a sensible way of doing it.

Of course, it causes other problems. If the Speaker is not available, will the Principal Deputy Speaker always represent the Speaker at certain events? On a royal visit, for example, would the Principal Deputy Speaker step into the Speaker's role? That will cause problems, whereas the problem does not arise in the system that we have at the minute of three equal Deputy Speakers. We could be setting ourselves up for a difficulty that need not arise. I question the wisdom of going down that road, which is why we oppose the motion.

**Mr P Ramsey:** Like John McCallister, the SDLP will resist this. I am afraid, Peter, that I am not sure of your logic in putting forward the motion, other than that it seems to be a two-party carve-up, along with the arrangements, as we all know now, for the rotation of the Speaker in three years and then two. That is the deal in essence, and it creates a hierarchy of Speakers. People talk about equality and an island of equals; in this case the mantra is that Deputy Speakers are equal, but some are more equal than others.

The SDLP is concerned that there will be extra layers of bureaucracy. We do not know, for example, whether it will affect the independence of the Speaker's role and office. When we sat down on our first day to elect a Speaker and three Deputy Speakers, it was the case that the integrity of the office would remain intact. This way now, it clearly will not. It will leave one Deputy Speaker in a principal role. We may as well not have the other two Deputy Speakers; John Dallat and Roy Beggs may pack their bags because, by all accounts, there will be no — *[Interruption.]* Maybe some of the DUP Members are right: they should pack their bags, if that is what they mean.

We are concerned that there is a second-class citizenship now coming into the Deputy Speaker's role. We will resist it now formally in plenary, and we will resist it when it comes to trying to change Standing Orders. Although Peter

Weir made reference to there being no financial arrangements, we need to be absolutely clear that the remuneration and any pension will not change for any principal officer. I will give way if somebody who supports the motion wants to answer that.

We do not need or want this extra layer of bureaucracy, and we will not support it.

### 3.00 pm

**Mr Lunn:** We do not have any particular objection at this stage, although perhaps we will wait to see what happens before 6 June, when we will get more detail. However, we assume that the role will be unpaid and that there will be no extra pension benefits, although we wonder whether it will involve extra duties for the individual who is elected Principal Deputy Speaker. Does it follow that the Principal Deputy Speaker will have a better chance of becoming Speaker in the future? It has already been agreed that the Speaker will change in three years' time, and I imagine that the person who is eventually elected Principal Deputy Speaker will follow on from you, Mr Speaker. All that said, we have no objection, but neither would we have brought the matter forward, had we had the option. It seems to be slightly pointless, but we will reserve judgement.

**Mr Kinahan:** I am pleased to speak on this matter, but I should first congratulate those who have been appointed to their positions today. I feel very sad that I am not the Justice Minister, despite all the support that I got. I reiterate that that selection was not right, and here we have a hint or smell of another deal being done that we do not all know about.

I hoped that, as the Assembly started, consultations and discussions would include all parties. I know that we have a chance to discuss it now, but we will not find out exactly what the role is until later. I hoped that we would see everyone being included at all times, rather than just paying lip service to the idea. I smell jobs for the boys. We would like to know what is behind the deal and what is on the other side of it, if, indeed, there is something on the other side. We have found out that extra things appear all the time from St Andrews, Hillsborough and, indeed, maybe from the beginning of this session. We would like to know what is behind them.

We have three good Deputy Speakers. They are equal, from all parties and can do the role just

as well. We could follow the line of the argument about the Mother of Parliaments, but there are more than 600 people there, and a great deal of different duties and work is needed. I would like a promise that the role will not be paid more and that there are no extra costs, rather than finding out later that other costs have come in. In addition, I would like clarification that, if there were a royal visit or something of that nature and the Speaker was ill or otherwise indisposed — not that I would wish that on you — someone will be here to look after things. That is the point of having three Deputy Speakers: the job can be rotated. We need to know a great deal more. Therefore, the Ulster Unionist Party opposes the proposal, and we want to know more about what money and deals are behind it.

**Mr Allister:** Last Thursday, when the arrangement was announced that the DUP would keep the Speaker's seat warm for Sinn Féin for three years, I predicted that it was part of a sordid deal. Within an hour, we had the first manifestation of that: this motion was produced. One thing is abundantly clear: there is no practical, logical or rational need for the proposition. For the past four years, the House appears to have functioned, within its limited confines, perfectly adequately with three co-equal Deputy Speakers.  
[Interruption.]

**Mr Speaker:** Order.

**Mr Allister:** Suddenly, we discover that we need a hierarchy of Speakers and we need a Principal Deputy Speaker. What a slight on the two who will be passed over and are now here merely to make up the numbers. It is quite clear to me who will fill the post. Perhaps Mr Weir gave it away when, in the course of giving the job description, he talked about putting in place a chain of command. I wonder who that would best suit. It is clear that the position is the outworking of an arrangement, a totalitarianism that has begun to hallmark the DUP and Sinn Féin in the House as they share the mantra of "ourselves alone"; create offices for themselves; grasp those offices to themselves; and further bring the House into disrepute by reason of the carve-up of all offices between them. Their inability to tolerate dissent and an alternative view or give the light of day to Members of minor parties is indicative of that totalitarian attitude.

What will be the powers of the Principal Deputy Speaker? Mr Weir tells us that there will be no

powers. What is the point then? That is not what Sinn Féin told the 'Belfast Telegraph'. Last Friday, a Sinn Féin spokesman said:

*"It will not be dissimilar to the way it works between the First and Deputy First Minister".*

What is the truth? Is this a Principal Deputy Speaker with additional powers? Mr Speaker, will you have to share with him the rulings you are going to make? Will you have to share your official functions with him? Will he become joined to you at the hip, as the First Minister is to the deputy First Minister? Or is Mr Weir right?

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

**Mr Allister:** I conclude by saying this: the constant elevation of Sinn Féin by the DUP within the structures of this House is something that many thought they would never live to see. Of course, many innocent people, like Eric Lutton, never did.

**Mr Speaker:** I must now insist that the Member bring his remarks to a close.

**Mr McClarty:** I do not intend to delay the House longer than is necessary. Everything that can be said has been said already in the debate.

Earlier this afternoon, we all witnessed the farce of electing the Justice Minister, the outcome of which was going to be nothing other than that which had already been decided outside the House. The decision regarding this issue has also been made outside the House. I appeal to the House not to try to mend something that is not broken. I speak from experience, having served four years as Deputy Speaker. The Deputy Speakers and the Speaker met every Monday and Tuesday morning at 9.45 am. We looked at the business for the day and arranged which Deputy Speaker should take over from Mr Speaker, if he had other duties to perform that day. That was the right way to go about it because all the Deputy Speakers were equal. By passing this measure and allowing it to happen, we will create a hierarchy that was never intended.

I note that the Procedures Committee has to report by 6 June, which is D-Day, Deputy Speaker day. I oppose the motion.

**Mr Agnew:** I have yet to hear a compelling reason for the appointment of a Principal Deputy Speaker. Nothing in the running of the

last Assembly highlighted the need for such a position, and there is no public demand for it. I see no way in which the introduction of a position of Principal Deputy Speaker will help the effective and efficient running of the Assembly. As we have just heard from a former Deputy Speaker, it is clear that the current system is working fine.

I can only assume that this post is being proposed as a token gift to the party that takes up the role rather than because of any specific need. I, for one, think we should have more respect for the institutions than to give out token positions. If there is a need for it, fine, but I am yet to be convinced. I agree with Mr McClarty: if it is not broken, there is no reason to fix it. I oppose the motion.

**Mr Speaker:** I call on Mr Paul Maskey to conclude the debate. He has five minutes.

**Mr P Maskey:** Go raibh maith agat, a Cheann Comhairle. I will not take the full five minutes; I assure you of that. Nine Members spoke, including me. Although an hour was set aside for the debate, it was over quickly. We have to be thankful for that.

Sinn Féin will support the motion, which is in the names of both the DUP and Sinn Féin. We look at this issue as we do with anything else. When there are Committee Chairpersons, there are also Committee Deputy Chairpersons who are prepared to step in. I know that there are Deputy Speakers; however, we are looking at the Principal Deputy Speaker. We recognise the fact that the job of the Ceann Comhairle, the Speaker of the Assembly, is very busy. He performs many different duties and tasks and attends hundreds of events every year.

A Principal Deputy Speaker is a good sign and will hopefully be a good way for someone to build up further experience when it comes to the possibility of taking on the job of Speaker. It is about leadership and about showing that the Assembly can work together. We are in for power sharing: why not power-share on the job of Speaker by having a Principal Deputy Speaker?

Some of the other parties said that the post is about jobs for the boys and is a carve-up between the two biggest parties. However, when their parties were the two largest in the Chamber, they did not offer too much to anyone else either. So, they are doing a bit of showboating today. I heard Jim Allister going

on about showboating, but that is exactly what he is doing. Many people in the Chamber — certainly me — are already fed up listening to the same rhetoric that we have heard in the past couple of days from the likes of Jim.

**Mr Allister:** Get used to it.

**Mr Speaker:** Order. Allow the Member to continue.

**Mr P Maskey:** He can chirp all he wants from the sidelines but, at the end of the day, it is a lonely voice in a lonely corner in one part of the Chamber. We are all about moving on collectively and making sure that all the parties in here work collectively to show the people outside this House that we can do this. For far too long, that was not the case. I urge all parties in the Chamber to support the motion today to show the outside world and the people who have put us all into our positions in the Assembly that we can work together.

### 3.15 pm

*Question put.*

*The Assembly divided: Ayes 72; Noes 31.*

### AYES

*Ms M Anderson, Mr S Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr W Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Doherty, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Mr Flanagan, Mrs Foster, Mr Frew, Ms Gildernew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr G Kelly, Mrs Lewis, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Mr I McCrea, Mr McElduff, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mr McLaughlin, Mr McMullan, Mr McQuillan, Mr Molloy, Lord Morrow, Mr Moutray, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr S Anderson and Ms S Ramsey.*

**NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Beggs,  
Mr D Bradley, Mr Byrne, Mr Copeland, Mr Dallat,  
Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott,  
Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kennedy,  
Mr Kinahan, Mr A Maginness, Mr McCallister,  
Mr McClarty, Mr B McCrea, Mr McDevitt,  
Dr McDonnell, Mr McGlone, Mrs McKeivitt,  
Mr McNarry, Mr Nesbitt, Mrs Overend,  
Mr P Ramsey, Ms Ritchie, Mr Swann.*

*Tellers for the Noes: Mr McCallister and  
Mrs McKeivitt.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly agrees that there shall be  
a Principal Deputy Speaker and directs the  
Committee on Procedures, as its first priority, to  
table the necessary amendments to Standing  
Orders by 6 June 2011.*

*Adjourned at 3.24 pm.*