



Northern Ireland  
Assembly

Committee for Social Development

# OFFICIAL REPORT (Hansard)

Welfare Reform Bill: Consideration of Ad Hoc  
Committee Report

30 January 2013

# NORTHERN IRELAND ASSEMBLY

## Committee for Social Development

Welfare Reform Bill: Consideration of Ad Hoc Committee Report

30 January 2013

**Members present for all or part of the proceedings:**

Mr Alex Maskey (Chairperson)  
Mr Mickey Brady (Deputy Chairperson)  
Ms Paula Bradley  
Mr Mark Durkan  
Mr Fra McCann  
Mr David McClarty

**The Chairperson:** Members are aware that the Ad Hoc Committee concluded its work recently, and reported to the Assembly yesterday. The report was not approved in the vote, but I think it would be useful if we could take a summary of the report, bearing in mind that this Committee referred it to the Ad Hoc Committee. Paula and Mickey were the only two members of this Committee on the Ad Hoc Committee.

**Ms P Bradley:** We were the two members who drew the short straw.

**The Chairperson:** You obviously fell foul of your party for some reason or another. With your indulgence, members, I ask Mickey and Paula to give us their sense of it. We will not go through a formal session, with recommendations and all the rest of that, but it would be appreciated if they gave us a sense of its worth and what it might mean for us.

**Mr Brady:** Unlike Lord Morrow, I did not think it was a waste of time. It was an interesting Committee; there was a lot of discussion. Obviously, Paula and I had a heads up because, as we are on the Committee for Social Development, we are as au fait with welfare reform as you can be. One of the big issues that came out was the lack of a properly completed equality impact assessment (EQIA) on some groups, for instance in respect of sexual orientation and beliefs. Some people felt that that had absolutely nothing to do with benefits, because if you are entitled, you are entitled. However, it was interesting to note that the Equality Commission had done an analysis, and the four groups on which there was no data profile, as part of the EQIA, were the ones that the Equality Commission felt were most likely to be impacted by the changes.

There were a number of recommendations. They related to such issues as who in the household should be paid, and the changed assessment from disability living allowance to the personal independence payment. The benefit cap was discussed. As you can see in the report, there are a number of recommendations on which there was a fair degree of consensus. I think people were aware that it is not straightforward. A lot of the groups who attended, such as the Human Rights Commission, the Equality Commission and the ethnic minorities group, basically said that the devil is in the detail of the regulations. My argument has always been that, because it is enabling legislation, you have to get it right, because the regulations will flow from it.

Confirmatory and affirmative resolution were also discussed at length. The Human Rights Commission recommended that it should be affirmative. Confirmatory means that you have six months after the legislation is laid in which to debate it. Affirmative means that it is debated before it is laid, which seems a sensible way forward — you talk about it before, rather than when it is a fait accompli. That was one issue. One argument put forward was that it should be affirmative resolution only when there is a policy change. The difficulty with that is this: who then decides what a policy is and what a policy change is? There is some discussion to be had around that, but obviously that is contained in the context of the recommendations.

There was a lot of discussion. Some people possibly had one mindset coming into it, and then maybe thought, during the course of the Committee's work, that things were not just as straightforward as they originally thought. It was mentioned yesterday that people came in with a closed mind. I think that, in some cases, they probably did, but maybe changed their mind to some degree during the course of the debates that ensued in the Committee. All in all, it was a useful exercise. Obviously, the Sinn Féin members of the Ad Hoc Committee felt that the Bill would not be compliant. It was said too many times that it might be or might not be. It either is or it is not. In our view, it is not. The regulations will roll out eventually, but it is incumbent on us to get the enabling legislation right, from the start.

**Ms P Bradley:** Mickey has covered just about everything. From my point of view, I found it very worthwhile. I do not know whether coming at it with my social development hat on made it easier or harder. At times, you maybe knew too much and looked too deeply into things. We did stray quite a bit. We did end up talking about things that were not necessarily to do with human rights and equality. That is maybe where a lot of the recommendations then came from. Mickey is right to say that some people did come into it asking: "Why are we here, and why are we doing this?" However, the more we worked through it, the more everybody found out just how complex it is. We all came to the realisation that this is going to affect every one of us in our constituency offices, and we now have a bit of knowledge behind us as to what the Welfare Reform Bill is about.

From our party's perspective, as you know, we did not find any breaches. That is as far as that goes. However, there was a good, healthy debate around the recommendations. Everything was debated at length and everyone who wanted to had their say. All of us made some sort of adjustments in our thinking along the way to come to those agreements. Sometimes, some of us wanted more and some of us wanted less, but we came to an agreement on most things. I think that that is for the better. Looking at those recommendations will benefit this Committee, albeit a lot of them were ones that we were already looking at. However, they have been reinforced.

From a personal perspective, I found it beneficial. It gave certain clarity on issues and further broadened my knowledge on welfare reform.

**Mr Brady:** I am having withdrawal symptoms, because I miss arguing with Peter Weir — or debating, I should say.

I compliment Paula on her answer to a very political question from Mark Carruthers last night. He asked whether she disagreed with Lord Morrow that it was a waste of time.

**Ms P Bradley:** I did not find it a waste of time.

**The Chairperson:** Everybody speaks for themselves.

**Mr F McCann:** Are we going to have a Committee hug?

**The Chairperson:** The fact that 15 recommendations were agreed by the Committee is helpful, even if only to reinforce people's views on some issues.

**Ms P Bradley:** It is helpful, Chair, that it has broadened it out yet again and made people aware of just how serious the impact of this will be and the work we need to do to protect people.

**The Chairperson:** Ultimately, people will come down on particular elements of the Bill from a party perspective, or whatever else. That will decide people's voting patterns or decisions on the clauses and the Bill overall. That is our job as a Committee. However, it is up to every Member, right through to the completion of the Bill, how they vote. That will take its course.

Does anybody else want to raise any issue or ask any questions of the two members who were on the Ad Hoc Committee?

**Mr Durkan:** I just want to commend the Ad Hoc Committee on its work, not necessarily on the report that finally came forward, but we on this Committee know just how painstaking the process can be. Fair play to you.

**Mr Brady:** No fine wine was produced at any stage, irrespective of what was said yesterday.

**Ms P Bradley:** We needed it at times.

**The Chairperson:** I add my thanks to the members of the Ad Hoc Committee for the work that they did. It was a busy period, part of which was over recess; it certainly encroached on recess time. It is very important to hear about the work that was done; even to hear the different party political perspectives. There is fairly substantive agreement that the issues are fundamental, very important and will have a lasting impact. Therefore, it is important that we continue our diligence in dealing with this.

**Mr F McCann:** I attended two meetings of the Ad Hoc Committee when Caitríona could not make it. There was quite a lot of debate in and around the issues. It was obvious, even from the two sessions that I attended, that there was going to be division in the Committee on the way in which things went forward. That does not mean that it was not right to go through the exercise. As elected representatives, we have a duty to protect those most in need in society, and those who elected us. This is probably going to be one of the most damaging pieces of legislation that we have ever faced and are likely ever to face in how people survive in an ever-worsening economy. It was a worthwhile exercise. It is obvious that we have a job of work ahead of us.

**The Chairperson:** If there are no further comments on that item, we can move on. Although the report has no formal status, per se, because it was not agreed by the Assembly, there is a body of work that people can access. I think that you, Paula, made the point that a number of the recommendations would have been made already in the Committee's considerations up to now. I have no doubt that they will find their way into our final report. I urge all members to read that report and take it on board as part of their consideration.